रिस्पान्सिबिलिटी को छोटे एरिया में बांटकर पुलिस को ज्यादा जिम्मेदारी दी गयी है। ऐसे प्रयास किए जा रहे हैं जिससे हम चाहते हैं कि कम-कम आल एलांग द बार्डर जो हमारी आबादी है जो हमारी बेल्ट है उसको सुरक्षा दी जा सके। मैं मानता हूं कि यह टेररिज्म कोई ऐसी बात नहीं है कि हम उसको रिवच आफ कर सके। हमारी कोशिश है कि जल्दी-से-जल्दी हम इसको जड़ से उखाड़ दें। मगर आप जानते हैं कि बड़े-से-बड़े विकसित देशों में भी इस तरह की हवा चल रही है। तो यह चीज जल्दी से समाप्त नहीं होती। इसे पंजाब के लोग भी अनुभव करते हैं। इसमें सभी राजनीतिक दलों और सोशल आर्गनाइजेशंस के सहयोग की जरूरत है। माननीय अभी कुछ सदस्यों ने कहा और मैं तो आज ही सोच रहा था कि यदि मौका मिलता तो अपोजीशन लीडर्स के साथ जो रीसेंट डवलपमेंट्स हैं और गवर्नमेंट ने जो स्टेप्स लिए हैं उनके बारे में चर्चा करूं और उनकी राय लूं। हम ऐसा प्रयास करेंगे। मगर ऐसा भी नहीं कहना चाहिए कि केवल रूलिंग पार्टी ही इससे कोई फायदा उठाना चाहती है। रूलिंग पार्टी हैज सफर्ड मोस्ट। इसलिए किसी एक पार्टी या किसी दल का नाम लेकर इस तरह कहना यह मैं ठीक नहीं मानता। महोदय मैं एक चीज अवश्य कहूंगा कि अभी भी अकाली दल के कुछ संगठन खुलकर राष्ट्रविरोधी तत्वों के खिलाफ, मासूम लोगों की हत्या के खिलाफ जुबान बंद किए बैठे हैं। मुझे दुख के साथ कहना पड़ता है कि जब तक ऐसे तत्व जिनका कि एस०जी०पी०सी० के ऊपर कब्जा है, साथ नहीं आते, हमें इससे दिक्कत होगी। मैं उनसे प्रार्थना करूंगा कि वे अपने देश, धर्म और पंजाब की रक्षा के लिए साथ दें। सभी राजनीतिक दल साथ दें। उतनी ही जल्दी हम इस बीमारी को जड़ से उखाड़ देंगे।

SHORT DURATION DISCUSSION ON REPORT OF THE JOINT PARLIAMENTARY COMMITTEE ON BOFORS CONTRACT—Contd.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Prof. Lakshmanna. You have already taken 26 minutes. So you may take only three or four minutes more. I have got the record here You have already taken 26 minutes.

PROF. C. LAKSHMANNA: Mr. Vice-Chairman, Sir, I tried to tell earlier how the companies, to whom the money has been paid, were not able to give the information because of the pronouncement of the Attorney-General. Now I will come to the statement of my learned friend, Shri Shiv Shanker. Shri Shiv Shanker, the Minister is supposed to have stated in the Lok Sabha that the amount that has been paid to "hollow" companies might have been ploughted back to the Directors. I do hope, he is a learned man, he must be having information to prove that money has been paid to these companies, that all these companies are hollow and that it has been ploughed back to the Directors. As it has been constantly asked of the Opposition to prove with evidence what it is saying, similarly I would request Mr. Shiv Shanker to kindly let us know what evidence he has to prove that these are "hollow" companies.

SHRI P. SHIV SHANKER: Have you read my statement? I said "in all probability", This was one of the guess-works that I had done. If you say, "bring evidence", where shall I get it? In the morning I said that it was a guess. I did a guess-work. It happens. It happens in many of the companies in India. Some of your friends know it much better.

PROF. C. LAKSHMANNA: When some conclusions were drawn by the Opposition people, there was a constant clamour on their part "you are not coming forward with evidence, you are not producing evidence." Therefore, inference or conclusion is a legitimate weapon for anybody. It is not open to evidence that is available. One can come to a conclusion. This raises a very important question. It raises an important question because it has come from a member of the Government that there could have been a possibility of

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the money being ploughed back to these "hollow' companies. If that is the case, I suggest two ways. Number one: The Government of India should ask the Swedish Government and the Swedish company to reopen the issue, and the Chief Public Prosecutor of Sweden should be requested to reopen the issue and find out whether these are really hollow companies and whether the money has been ploughed back. Then, what has been denied, that it was a bribe, etc., will not be valid, if it is proved. That is a different matter.

Secondly, as I have mentioned earlier, there is a possibility, as was also stated by Mr. Arun Singh, of breach of faith. Therefore, I would suggest that there should be an Arbitration Tribunal, appointed to go into this particular question whether there has really been a breach of faith. If there has been a breach of faith, then we should take up the issue as a legal issue with the Bofors company and then it will be bound.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please conclude.

PROF. C. LAKSHMANNA: I am concluding.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Only one minute now. I will not allow more than one minute.

PROF. C. LAKSHMANNA: Mr. Vice-Chairman... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Your Party's time was only 14 minutes. You have taken double the time.

PROF. C. LAKSHMANNA: It is an important question.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, no. I cannot give like this... (*Interruptions*)... Please cooperate with me. Your Party's time was only 14 minutes but I have given you 29 minutes. I have to run the House...(*Interruptions*)

SHRI PARVATHANENI UPENDRA: He is winding up.

PROF. C. LAKSHMANNA: I am winding up without any charges!

Sir, I would like to comment only on two things since we are discussing the JPC report and the Bofors contract. There are two important things. Firstly, when the JPC was examining Mr. Morberg and Mr. Gothlin, they refused to give the information. I feel very hurt that these people could refuse to give the information to the Joint Parliamentary Committee which they readily gave to the officers. They say, as quoted and stated in the report, "You can get the information from the officials of the Defence Ministry." What is this? The JPC should have emphatically stated the fact and said, "You are appearing before us. You give it. We are not supposed to take information from them. After all, they are within us." Therefore, the way in which the JPC compromised itself in its position is something which I cannot understand. This is number one.

The second point is with regard to the witnesses. Several names were suggested, including Mr. Ardbo and others, and these people were not called. They were very important because I have got information which has been published in *the Hindu* as to how Mr. Ardbo's diary had been giving vital information. Therefore, if Mr. Ardbo was called, there was every possibility of cross-examining him. In one page he says:

> "He does not care if Arun Nehru is hurt. He does not mind if even Q is hurt. But G must be saved at all cost."

If Mr. Ardbo had been called before the Committee, the Committee could have had the opportunity of asking who these people were. While they have not used any code name for Mr. Arun Nehru,

they used code names for others. Therefore, if these names are deciphered, perhaps it could have led to certain further information in order to find out where these kickbacks have gone in spite of the fact that they have denied that there were no kickbacks.

There is enough evidence to prove that there had been connections among the three companies on the one had and Mr. Adnan Khashoggi on the other. There has been also enough evidence to prove that there has been a connection among all these firms and Sangam Limited. Sangam Limited is a company of the Hindujas and Hindujas are friends of Mr. Amitabh Bachchan and Mr. Ajitabh Bachchan, and, of course the rest of them you know. Therefore, there was no effort made by the JPC in its full functioning... (*Interruptions*)... I am only passing on information which is published and which is not revealed by anybody else so far. That is in *The Hindu* and which has been even ascepted by Mr. Arun Singh who is a very responsible man. At least he will accept that. He said that Chitra Subramaniam had done work which is commendable, and I am only quoting from the information which she has been able to give. Therefore, if the JPC had examined all the witnesses they have pointed out and if it had examined the witnesses who appeared before them in the sense they ought to have examined, some of the mysteries which shoud the entire process could have been solved. Therefore, I have no hesitation that what has been revealed by the JPC is interesting and what has been concealed by the JPC is vital. Since we are in pursuit of that vital thing there should be relentless effort made by this Government, this Parliament and this country to really have further probe into the matter and track down those persons who have been responsible for such acts.

SHRI MADHAN BHATIA (Nominated): Respected Vice-Chairman, Sir, I have listened to the speech of the hon. Member, Mr. Vajpayee, with great interest. It showed remarkable intelligence because it is a known fact that when there is absence of logic, replace it with comedy and humour, and that exactly was the performance of the hon. Member.

Sir, the Bofors issue exploded on the Indian political scene in April, 1987. T. S. Eliot in one of his poems has said, "April is the cruellest month because it gives hopes." April, 1987 proved to be the cruellest month for the Opposition in this country because it aroused its hopes of snatching the political power by a short-cut from the paws of the massive constitutional mandate of the people of this country in favour of Mr. Rajiv Gandhi. April, 1987 will also go down in the political history of India since independence as the murkist month. It was a month in which the political the tumbled to royalties dust. It was a month in which monstrous political betrayals were camouflaged and masqueraded as moral righteousness. It was a month in which a press magnate assumed the role of making and unmaking the Prime Ministers of this country. It was a month in which political conspiracies and political intrigues got intensified around the highest constitutional institution of the nation. It was a month in which the external, hostile forces sitting on the fence jumped into the fray and joined in the kill particularly because the Prime Minister of this country had incurred their warth at Harare, by his policy. of deepening the friendship with the Soviet Union and ultimately by the declaration in Delhi, which he made along with President Gorbachev. It will, therefore, be a travesty of political history of India if the Bofors issue is discussed in isolation from the political events which created turmoil in this country from April to July, 1987. But, for the time being, I shall not deal with this political question.

So far as this Opposition is concerned, the main thrust of its attack has been the Joint Parliamentary Committee and its proceedings. When this Committee was constituted, its con-

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stitution was attacked as a cover-up exercise. When its report has been given, its report has been attacked as a cover-up exercise. It would have been a political miracle if after the brick-bats, which had been thrown against the constitution of this Committee, the Opposition would have chosen to hand over bouquets to the report of this Committee. But political miracle do not happen in this country and they are least expected from the Opposition in this country.

What is the basis for making the attack on the report and proceedings of this Committee? The foundation of the attack is that this Committee allowed Bofors to get away with the concealment of information by allowing it to plead commercial privacy or commercial confidentiality. According to the Opposition, there is no such thing in law as commercial secrecy or commercial confidentiality. It is on this basis that the opinion of the Attorney-General has been attacked.

I must say that this attack is based on complete ignorance of law. In law, there are two concepts—the concept of commercial secrecy and the concept of commercial confidentiality. I shall take both these concepts separately.

I take the concept of secrecy or the concept of privacy first. In Britain, in 1972, a Committee was constituted, which is known as the Younger Committee, to go in depth into the right of privacy or the right of secrecy. This Committee gave its report. In the beginning it addressed itself to the question as to what is the right of secrecy. It quoted two famous authorities in this connection.

The first authority, which was cited was that of Prof. Widston. He says:

> "Privacy is the claim of individuals, groups or institutions to determine for themselves, when, how and to what extent information about them is communicated to them."

Then Prof. Miller says:

> "The basic attribute of an effective right of privacy is the individual's ability to control the circulation of information relating to him a power that often is essential to maintain social relationship and personal freedom."

The question is whether this right to decide what information I shall pass on to public about my affairs is a right of privacy or is not a right of privacy. The Younger Committee, which went in depth into this question, concluded that the right of privacy includes the right of an individual to decide what information and how much information he will disclose to the public in regard to his relations. The question is whether this right of privacy covers also the commercial transactions and the commercial relations of an individual and an institution.

In this regard the Committee referred to what is known as the Justice Bill and the justice Bill says that privacy speaks of "a person's state of being protected from intrusion upon himself, his own family, his relationships and communications with others, his property and his business affairs." The right of privacy includes the right of every person to decide what information and how much information he will disclose to the public in relation to his commercial transactions. This is the right of privacy.

Secondly, Sir, it is the basic right of every individual which has been enshrined in our Constitution also to carry on his trade and commerce without any restriction or resetraint. The right of freedom of trade includes the right to decide to what extent he would disclose his trade relationships or his trade activities. It is a part of the basic human right.

The second concept is the right of confidentiality. The Younger Committee recommended that so far as this concept of confidentiality is concerned the Law Commission of Great Britain should go into this question. This report, I may

add, Sir, was placed before the Parliament in Britain and it is known as a 'command paper'. So far as confidentiality is concerned, the Law Commission addressed itself to the concept of confidentiality. In this regard, Sir, I submit that the Law Commission on the basis of recommendation made by the Younger Committee has addressed itself to three or four questions. The first question to which the Law Commission addressed itself was "What is confidentiality?". I shall quote this: Under the recommendations, "once information has been entrusted in circumstances giving rise to an obligation of confidence — that information is in effect impressed with a duty of confidence owed to the person who is entrusted with it." Then, the Commission said "How does this duty arise?" The duty to keep in confidence, the information which a person receives from another person and the Commission gave an answer. The answer of the Commission was by reference to a decision of the House of Lords. It said: "The decision of the House of Lords in Blundel vs Stephen to which reference has already been made also demonstrated that at least where the parties are in a contractual relationship, the person to whom the information is confided may be liable not only when he himself has disclosed or used it but also if it is disclosed or used through his negligence." If there is a contractual obligation imposed upon a person by another contracting party that this is the information that I am passing on to you but you will be under contractual obligation to keep that information secret and if that information is disclosed by that person, it will be a breach of contract and a breach of confidence.

Again at page 30 in this Law Commission report, another judgement was cited by the Law Commission which is very lucid. It was a judgment in which Lord Justice Shaw said and I quote:

> "The communication in a commercial context of information—" this is important"— in a commercial context of information which at the time is regarded by the giver and recognised by the recipient as confidential and the nature of which has a material connection with the commercial interest of the party, confiding that information imposes on the recipient a fiduciary obligation to maintain that confidence thereafter unless the giver gives consent to relax it."

This is in relation to commercial transactions and what happens if there is a breach of confidence and the information is disclosed. The consequence is that he becomes liable in civil law for damages and this is what the Commission says "That there is an action for breach of confidence, independent of statute, which has been beyond doubt for many years. Broadly speaking, it may be described as a civil remedy affording protection against disclosures or use of information which is not publicly known and which has been entrusted to a person in circumstances imposing an obligation not to disclose or use that information without the authority of the person who has imparted it." So, Sir, there is a right of privacy and there is an obligation of confidentiality. I submit, Sir, that Bofors pleaded before this Committee not only the right of privacy but also their obligation of confidentiality when they said, "we shall not disclose the information beyond that which we have already disclosed." In this regard, I draw the attention of this Hon'ble House as to what the representatives of Bofors said first at page 124 and I quote:—

> "Mr. Morberg said, in the beginning, commercial secrecy is of great importance to a company, specially in the business of armaments where most of your customers are States and State agencies with very high requirement of classified information and a very high requirement that the company can indeed keep confidential information secret and not talk about details, orders, numbers etc. in contracts."

Particularly they emphasise that so far as they are concerned, they are dealing in armaments and their dealings in armaments are with different States and in

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this regard, Sir, there is also another authority, that is a book which is known as "Confidentiality and the Law" by Brine Read.

[The Vice-Chairman (Shri Anand Sharma) in the Chair].

This particular author emphasises the fact that when a person is dealing in the sale and manufacture of armaments and his dealings are with different countries, secrecy, so far as he is concerned, is very vital in relation to his trading relations. I need not read because the time is short. This is the right of privacy which they pleaded but they also pleaded *the obligation of confidentiality*. According to them, their agreements with these various parties with whom they had entered into agreements, these three parties these agreements include a secrecy clause and that secrecy clause imposes an obligation upon them not to disclose the agreements, the contents of the agreements or the real persns behind these agreements. In this regard, Sir, I draw the attention of this hon. House to page 139 as earlier. I need not take time reading it. They say that they had agreements with the purpose mentioned there and the agreements contained the secrecy clause. That these agreements did contain the secrecy clause is quite clear from the agreement with Win Chaddha which was placed before the Committee and that agreement contained the secrecy clause. It can, therefore, be easily inferred that what the Bofors was saying was correct, namely that their agreements with these three companies contained the secrecy clause and they could not commit breach of that clause. This was the position in law. They had the right and they had the obligation. They pleaded their right and they pleaded their obligation. What could the Committee do? What was the option before the Committee? They were not residents of India. These rights can be curtailed and controlled by the laws of the country. But those laws will apply only to the citizens and the companies registered in that particular country. They were not amenable to the laws of India. The Committee therefore, had no authority, no jurisdiction, no power in law to rip through their claim based upon the right of secrecy and based upon the claim of confidentiality. But, Sir, the Committee did not leave it at that. The Committee put a very pertinent question to the Bofors representatives. This shows the brilliant performance of this particular Committee, the intelligent handling of the representatives of Bofors. At page 153, the Committee put this question and I must commend the Committee for being so incisive in the interrogation of the representatives of Bofors. The Committee pointed out that the information which Bofors had refused to give to the Committee on grounds of commercial confidentiality had already been given by them to the Public Prosecutor and, therefore, there should be no difficulty in disclosing those facts to the Committee. What is the answer which Bofors gave? *The question was extremely pertinent.* But the answer which Bofors gave is incontrovertible. The answer is:

> "I think there is rather a big difference. The disclosure about the contracts and other particulars to the Prosecutor was completely in accordance with the procedure and laws of Sweden and of course the Company follows those laws. What we have stressed before the public prosecutor was the importance of confidentiality and to treat the information that we had given to him accordingly. According to the procedure and laws of Sweden, when a prosecutor closes a file, every bit of information in the file is confidential and non-public. If something comes out from the file, the Police Department and the Prosecution Office step in.

The right of privacy, the obligation of *confidentiality, is subject to the laws of* Sweden and not the laws of India. Since they were subject to the laws of Sweden and when the Public Prosecutor called upon them to disclose this information and to disclose this contract they were left with no choice, they disclosed the information and they disclosed the contracts to the Public Prosecutor. This is

the importnt aspect. And then what could the Committee do? The Committee could throw up its hands and give the report saying we have done our best to elicit this information from the representatves of Bofors but we are helpless in law, we have no right in law to supersede their right of secrecy and their obligation of confidentiality. The Committee could say so and no objection could possibly be taken to such a report; it would have been a perfectly valid course to be adopted by the Committee. But what does the Committee do? The Committee does not throw up its hands. The Committee swings into action and brings into light the investigating agencies of its own country. That power the Committee has. The Committee was able to elicit the names of the three companies from Bofors. The Committee was able to elicit from the Bofors that money had been passed to the tune of Rs. 64 crores to these three companies. But who were he real controllers of these three companies? Bofors would not give the information. The JPC did not throw up its hands. The JPC involved the investigating agencies of this country to swing into action and ferret out the real facts on the basis of he lead given by this partial information by Bofors. And what did the investigating agencies do? They involved Interpol. They got in touch with Interpol. They go abroad and with the assistance of Interpol it is the investigating agencies of India brought into action by the Committee that discover that these three companies are merely post-box companies and that they are not the real owners. Who got this information today in this report that these three companies are merely post-box companies and that real controllers are different individuals? Who has been able to get this information? It is the Committee. It is the efforts of the Committee. It is the cooperation of this Government. It is the efforts made relentlessly by the investigating agencies of this country. It is by them that this information has been ferreted out and placed before this honourable House and before this country, that these three companies are merely post-box companies but the real recipients of this money are different individuals. But beyond that it is not possible for us to obtain information. We are beholden to the Committee. This is the role which has been played by the Committee. And they accuse the Committee of having indulged in a cover-up execrise! It is very nice to say so and make this honourable House laugh and laugh. But, as I said at the beginning, laughter, invocation of laughter, through a speech is a very poor substitute for logic and intellect. I submit that in the heat of this controversy the real issue has been lost. The real issue is: How did this drama of Bofors start? The drama of Bofors started with the broadcast by the Swedish Radio on 16th April. And what was the 9.00 P.M. broadcast? The broadcast was that bribe had been paid to politicians and officials in connection with the contract relating to the supply of these guns. It was a very serious allegation. It did not say 'commission'; it did no say 'winding up charges'; but it said 'bribe'. It said that bribe had been paid to politicians and officials. By one stroke the whole political and administrative system of this country was dragged into disrepute by this broadcast. And, Sir, what was the role played by the Government thereafter?

Sir, you will kindly bear with me. When this broadcast was made, the Government of India and the honourable Prime Minister of this country against whom insinuations are being made swung into action. They got in touch with the Swedish Radio and asked the Swedish Radio to disclose the information on the basis of which this broadcast had been made. And what was the reply that the Swedish Radio gave? The Swedish Radio said, "This broadcast we made on the basis of information which we received from our representative in Delhi." It is a significant fact that tha correspondent had arrived in Delhi on the 14th April 1987. One can easily speculate whether the inormation was tailor-made and was kept ready to be fed to him to be passed on to the Swedish Radio to be broadcast from there.

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Sir, then what happened? The Government of India gets in touch with the correspondent and asks him to disclose the material on the basis of which this allgation has been made. And, Sir, what was his reply? If there were no political intrigues with which he was involved, if this information which he had passed on to the Swedish Radio had any basis in fact he would have said, "This is the material.". But he says, "I shall not give you the information.", because he did not have. The only information which he could possibly have was his involvement in a bigger conspiracy and intrigute and a bigger design to destabilize the political system in this country which he could not afford to disclose. What was the choice left with the Government thereafter? To get in touch with the Swedish Government, and this is exactly what the Government did. The Government immediately got in touch with the Swedish Government and sought its help to get the information as to who had received this bribe, to whom this bribe had been paid, and requested them: "Please get this information for us.". It is at the instance of the Government of India that the Swedish Government appointed the National Audit Bureau to go into his question. The Bureau goes to go ino this question. The Bureau goes to Bofors and Bofors again pleads secrecy. The National Audit Bureau had no power to supersede their claim of secrecy and their obligation of confidentiality. But it kept in touch with the Banks and the Banks disclosed he information on condition that certin portions of he informaion would be kept confidential. It is of the basis of the information received from the Banks that the Audit Burea gives the report and the report says, Sir—this is important—that the payments have been made and they have been made under agreements. Which agreements? Settlement agreements. The nail was driven into the lie that there was no bribe, but payments had been made. But the payments were of a different character. Payments were made in pursuance of settlement agreements which Bofors had entered into.

It was high time for the Government of India to rely upon the report of the National Audit Bureau and say 'here is the lie which has been uttered by the Swedish Radio and that is the end of the matter' because this country was concerned not with the payment of commissions or settlement amounts or winding up charges. What touched the raw nerves of the people of this country was the payment of bribery in connection with the acquisition of the armaments. This report made it clear that there were no bribes. But what did this Government do? The Government said whether it is bribe or even if it is not bribe, even if it is winding up charges or even commission, we shall like to find out whether this commission was paid in contravention of the undertaking given by Bofors that there will be no commission agents. This was a new question This was the question which worried the Government that here is Bofors who had given an undertaking that they have terminated all agency agreements and still payments have been made—so let us find out the truth. It was not essential for the Government to go into this question. But the Government was exercised whether the Government had been taken for a ride by Bofors. It is in these circumstances, Sir that the Government came before the highest august body of this country, namely, the Parliament, for the appointment of this committee with these terms of reference to identify the persons to whom payments have been made and the purpose for which payments have been made. And there is the Opposition which boycotts this committee, by describing it as a cover-up exercise. In fact, it was their cover-up action; they were not interested, if it was found that no bribes had been paid, to pursue this matter through investigation. They only wanted to keep it alive as a political issue to mislead and hoodwink the people of this country. They boycotted. Then this committee is appointed. And then, Sir, the committee's report is there. But what happens in Sweden? The Chief Public Prosecutor, who is an independent authority said—he

made a public announcement that since the Swedish Radio has announced that tribes have been paid I shall go into this question myself. The Chief Public Prosecutor opens the investigation. He was under no subordination of any autority in Sweden. He was totally independent of the Government. That was his authority. When the Chief Public Prosecutor makes this announcement, he is hailed as a paragon of virtue and paragon of judicial independence. And the Chief Public Prosecutor examines the entire records, the entire documents, the entire agreements of Bofors. The Chief Public Prosecutor examines all other possible witnesses. The Chief Public rosecutor examines the representatives of Radio. And ultimately, what is the finding which the Chief Public Prosecutor gives? That is reproduced at page 153. "The Chief Public Prosecutor issued a Press release saying that there was nothing in this report to show that payments—made by Bofors in connection with the large order from India were not in fact winding up costs." And he closes the investigation. Once he gives this report that very daily national newspaper which hailed him as the paragon of judicial independence and political virtue starts castingating him and starts writing vituperous articles against that Chief Public Prosecutor. This is gutter politics of that particular newspaper.

Sir, more than that, the Bofors invite the appointment of a public accountant. They are also independent people. They are under no subordination of any company or the Government. They invite the public accountants to go through the records and to go through the agreements to find out what is the nature of the payments which they had made. The public Accountants go through the entire record of Bofors and they go through the agreements which Bofors had entered into with these three companies and even with Win Chaddha. Ultimately they give the report. They say:

> 1. Bofors had an agreement for representation in India and general consultancy agreements which under the circumstances prevailing earlier, would have been applied to sales of A. B. Bofors products. Some of those agreements originated as long ago as in the late 1970s.
>
> 2. The agreement mentioned under Item I have been terminated and are so longer applied.
>
> 3. Termination costs for the consultancy agreements mentioned under Item I were paid out during 1986. No payments based on the agreements have been made after December 1986.
>
> 4. The termination costs were substantially lower than the amounts which would have been paid if the agreement in force during 1985 had been applied.
>
> 5. The final price of FH 77 contract with India are lower than the comparable prices offered to any other customer.

Therefore, India is treated as the most favoured customer meaning thereby that the price at which these guns were supplied to India were lower than the prices at which these guns were sold by Bofors to any other country including the Swedish Army.

Then what do the Accountants say: "We have been retained by Bofors to examine their accounting records for 1986 and January 1 to August 31, 1987 as well as the consultancy agreements for representation in India in connection with FH 77 contract dated March 24, 1986 for the Indian Armed Forces. Our examination was made in accordance with the generally accepted audited standards. In our opinion, the results of our examination support the statements made by A. B. Bofors." Still, Sir, the red herring continues to be thrown. The one point which arises is as to whether these were the consultancy agreements and they were terminated because the Prime Minister of India said to the Prime Minister of Sweden that no middlemen should be involved in any negotiations with regard to this contract. In pursuance of the views expressed and the policies declared by

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the hon. Prime Minister of India to the Prime Minister of Sweden, these agreements were cancelled by the Bofors. The question is whether any payments made to these three companies as a result of the termination of these agreements would constitute a breach of trust.

I respectfully submit, Sir, that in law, on the basis of the material on record, I cannot say that there was any possible breach of faith or confidence on the part of Bofors. What was the representation? What was the demand which was made by the hon. Prime Minister? Sir, on this, you kindly permit me to say a few more words. How does the termination come about? At page 128, the Report says:

> "The Bofors President stated: 'There was a meeting in New York between the Prime Minister Olof Palme and your Prime Minister Rajiv Gandhi about this question... when Mr. Gandhi demanded that there should not be any middlemen, representatives or agents in the negotiations between India and Bofors concerning this contract.'"

It was at that particular point of time that Bofors were told through the Prime Minister of India, through the Prime Minister of Sweden by the Prime Minister of India that if you want to have any contract, do not have any middlemen. There was never any demand and could not possibly be any demand that India could ever make that if from 1979 onwards you have had any agency agreement or consultancy agreement, even if you terminated those agreements and you are requaired to pay any compensation, even then Government of India will not enter into contracts with you. We are discussing the legal implications. The only demand was that from this point of time when the policy was announced India will not deal with you through any agents or through any middlemen. And what would Bofors do? When this information is communicated to the Bofors, there were three possible choices before the Bofors and they said so in the Report. They said: The three choices open to us were first that we should tell the Government of India that we are not interested in any contract with you because we are under contractual obligation under the existing consultancy agreements to pay the commissions and to operate through them and to seek their assistance. We cannot abide by your policy and by your directive because we are bound by our contracts. The second option which was open to them was to cancel this agreement unilaterally and leave the consultants to go to the court and sue them for damages. And the third option which was open to them was to settle the matter amicably with the consultants of these three companies. I would put before this hon. House: What is the choice which a prudent businessman would adopt? He would not say that I will not go in for a contract of Rs. 14,00 crores, if he can get it, he will not like to get himself dragged into the court for damages for cancellation of the agreement unilaterally. He will try to settle the matter amicably and this is exactly what the Bofors did. They settled this matter amicably with these three companies by entering into termination agreements. What was the settlement? The agreements had been from 1978 and 1979. The settlement was that we shall pay you the compensation for termination of your agreement.

THE VICE-CHAIRMAN (SHRI ANAND SHARMA): Please try to conclude now.

SHRI MADAN BHATIA: I take just five minutes more.

(*Interruptions*)

THE VICE-CHAIRMAN (SHRI ANAND SHARMA): We have some constraint. I am just requesting him to conclude. He has taken 50 minutes already.

SHRI MADAN BHATIA: I am praying for five minutes only.

Then, Sir, it has been said as to why these demands were made in 1986 and not at the time of the termination of the agreements. This question was put by the Committee to the Bofors representatives and they gave an answer. Their answer was and had to be that the amount of compensation that we were required to pay for termination of these agreements through amicable settlement would have depended upon whether we were going to get the contracts or we were not going to get the contracts. If they were going to get the contracts the settlement would be that we would pay more compensation for terminating these agreements. But if we were not going to get the contracts the compensation would be minimal. And that is the reason that the payments were made after the contract for the supply of guns with the Bofors had been entered into. And what was the payment which was made under these contracts? Rs. 64 crores and what was the commission which was payable under these contracts, 12 per cent, which means Rs. 168 crores. From Rs. 168 crores the settlement was made at Rs. 64 crores by Bofors and who was the gainer? The gainer was India because the price was slashed by almost Rs. 197 crores in competition with France within a period of two months after the termination of this agreement. Mr. Atal Bihari Vajpayee says what was the basis that within a period of one month or two months the price was reduced to such an extent. This is the arithmetic. The whole liability of payment by compensation to the tune of Rs. 168 crores was gone with one stroke, through amicable settlement. That is the reason why the price was reduced to this extent. Sir, I submit that to say that there was any breach of faith on the part of the Bofors or that Bofors are liable to return this money or damages or that this payment if it was to be made should have been made in 1985, is to go against the record. The record, since the time is short, I am not going to read it. The record establishes it. I can only give the pages for the help of the Members. They are 126, 127, 128, 151, 148, which show that this was a compensation to which the consultants were entitled if amicable settlement had to be made with them.

Sir, I would not say anything about the Hindooja's documents. Some hon. speakers would deal with this. But I would like to deal with one or two points contained in the dissenting note of one hon. Member, Mr. Aruna. Sir, it is an amazing thing that the hon. dissenting Member had been entrusted with the solemn duty of ferreting out the truth, that enjoined upon him to deal with record placed before the Committee fairly and judiciously. My complaint against the dissenting note is that this note not only mutilates the record, it suppresses the record, it perverts the record, it falsifies the record and I shall give only two examples. Sir, this is at page 229. He says: "The Swedish Public Prosecutor, Mr. Lars Ringberg, has also stated that there is a reason to believe that the bribery crime has been committed." It is an amazing statement. The Chief Public Prosecutor gives a finding. There is no evidence to show that any bribe has been paid.

And the dissenting Member says, the Chief Public Prosecutor says that bribe has been paid.

SHRI KALPNATH RAI: Most irresponsible.

SHRI MADAN BHATIA: What is more serious is what he says at page 234. He says: "A shocking fact has been disclosed by Mr. Gothlin, the Senior Vice President of Bofors during his deposition of evidence before the Committee on 18th September, 1987 as allows." And he quotes: "I have described how the Company in the end of 1985 got a message and had to terminate the agreement." And what are his comments? "The word 'message' used by Mr. Gothlin should be examined in proper context. M/s Bofors were awarded with the contract only on March 24, 1986. But Mr. Gothlin has stated before the Committee that Bofors had to terminate the agreement because it had got a message in the end of 1985. What does it mean? What was the nature of

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the message which led them to terminate the other agreements? The sequences of incidents like meeting of Prime Ministers of the two countries concerned, the said message in the end of 1985 and assurance from the Prime Minister of Sweden in January 1986 give birth to suspicion that the Ministry of Defence could not have secretary assured M/s Bofors that they would be awarded the contract for 155 mm gun in their favour." He said: a message' was received. What is this message? It is a mystery. This message could only be that the Defence Ministry had secretly informed that you are going to be given a contract. Now, he is entitled to say so. But my complaint against the hon. Member is that he has perverted the truth and suppressed the material. He has converted 'the message' into 'a message'. There is a deposition by the representative of Bofors that there was the message and the message was this, and he suppressed this, and here I draw the attention of this House to that statement. I quote from page 128, statement of the President. "As Mr. Gothlin earlier mentioned this demand, request from your Prime Minister was sent to the former President of A. B. Bofors, Mr. Martin Ardbo sometime in November. He started the action to fulfil this demand and he also mentioned to the representative for the Swedish Government in December that Bofors had taken action to fulfil this demand. And he also mentioned to the representatives for the Swedish Government in December that Bofors had taken action to fulfil this demand. We have taken action to terminate agreements which we had with the representatives/consultancies. As now we have heard, this message was given by Mr. Olof Palme to Mr. Rajiv Gandhi when Mr. Palme visited Delhi in January 1986." The message of Palme to the Prime Minister has been converted into a mysterious message — 'a message'. 'The message' has been converted into 'a message'. From 'a message he thinks of some mystery; from mystery he infers that it must be that the Defence Ministry had given an assurance that the contract is going to be given to you. And all this exercise for what? For writing that despicable insinuating sentence that there is no evidence against Mr. Rajiv Gandhi but suspicion is there. This has been the whole exercise.

Then, he sends a letter to the Committee on the 20th of February saying 'Please produce these witnesses'. The Committee was set up in August, 1987. The Committee's term, the Committee's duration, was to end on 6th November, 1987. On 6th November, 1987, the term of the Committee was extended till the 26th February, 1988. All this while the hon. Member did not think of calling any of these witnesses. But all of a sudden, on the 20th February, when the extended term of the Committee was coming to an end, he furnishes a list of ten witnesses and asks the Chairman to call those witnesses. What was the basis for that? The whole list of witnesses which he furnished to the Chairman to be called was as turbulent as the turbulence which had taken place in the politics of Tamil Nadu before the 20th February, 1988. He has some explaining to do in this. I respectfully submit, Sir, that this dissenting note is but a reflection of the turbulence which had taken place in Tamil Nadu before 20th February, 1988.

Sir, it was said that the Prime Minister had shown extraordinary interest. Yes. The hon. Prime Minister did take extraordinary interest in the defence deals. It is for the first time in the history of post-Independent India that one Prime Minister stood up and said that so far as defence deals are concerned, India will not tolerate any middlemen or any agent or payment of any commission. Why did he take this stand? He took this stand because he wanted to ensure that India would receive the best possible military equipment at the minimum possible price. It was an act of patriotism and idealism. When Mahatma Gandhi was assassinated, Bernard Shaw said "This shows how dangerous it is to be too good'. The manner in which this

Bofors issue has been dragged into the gutter politics by the Opposition, this sort of character assassination the manner in which this issue has been used to destroy the reputation of the highest military authorities in the country, the manner in which this issue has been used to destroy the reputation of the most conscientious and ablest administrators in the country, and ablest administrators in the country, shows how dangerous it is to be too patriotic and idealistic. Thank you.

SHRI MOHINDER SINGH LATHER (Haryana): Mr. Vice-Chairman, Sir, I have been hearing the debate. First of all, I would like to ask, who has made this a laughing matter, as stated by my friend? We shall have to wait to see who will have the last laugh. How weak and how meritless this report is proved by the mere fact that so much pain has been taken by friends on the other side to defend it.

श्री कल्पनाथ रायः विरोधी दल के पांच आदमी नहीं हैं यहां पर । (व्यवधान)

SHRI MOHINDER SINGH LATHER: Sir, this JPC report has got to be discarded. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI ANAND SHARMA): Mr. Kalpnath Rai, please do not disturb the hon. Member. He is making his maiden speech.

SHRI MOHINDER SINGH LATHER: This is not a speaking report.

It is not based on facts! it is not based on evidence. It has not removed the clouds of suspicion and doubt which are hanging in the air in our country. Sir, justice should not only be done but it should seem that it is being done. But it is not so in the case of the JPC report on Bofors. The whole of the public knew beforehand what the finding of the JPC on Bofors will be. The public knew, we knew, the whole country knew that the whole matter will be hushed up and it has been done so in a most open, blatant and hurried manner. Our worthy Supreme Court has held time and again that to enable the courts to find out the truth best evidence should be procured and produced, but in this case it is a shame that not only best of the evidence available was not procured but also all the available evidence pointing to the shady deal was kept out and avoided.

After the announcement of serious 'Ghapla' in the Bofors' deal by the Swedish Radio, there was all round serious suspicion that crores of rupees have changed hands in the deal. The whole country was shocked. Purchase of arms is crucial for the defence of this country and if there is any bungling in it, then God alone can save our country.

Hon. Member, Mr. Arun Singh, termed the opposition as prosecutors'. If that is so, by terming us as prosecutors', he has termed the Prime Minister as 'accused' and the time will come when the people of this country will judge the Prime Minister and declare him guilty.

Th JPC was set up ascertain the identity of persons who received payment from Bofors in connection with 155mm guns. It is said that Rs. 64 crores were paid as winding up charges, but the JPC did not find out what these winding up charges were and the payment was received by whom. Instead of finding out the truth, the one-sided panel suppressed it with obvious reasons. Only five copies of the combined report of the various investigating agencies were made available to 30 members, giving them only two hours to go through. It is also said that some portions of these reports were missing. It is not known why the request of Shri Aladi Aruna, a Member, to call a number of persons, including Mr. Lars Ringberg, Mr. Sirichand Hinduja, Gopichand Hinduja and Mr. Martin, former Bofors president, was turned down by the Chairman of the JPC.

The Prime Minister, as Defence Minister, should also have been examined. The whole matter was exposed by the 'Hindu' and the Swedish Radio and it was because of these two that the Committee hurried to its decision. Sir, the report of JPC is not the end, but it is a beginning to an end. I submit before this House, as was stated by Mr. Arun

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Singh, that this country is above everybody. My friends on the other side are trying to prove that some person—maybe, the Prime Minister or somebody else in a high position—is above the country, but this is not so. The country is, of course, above everybody and this country will come to a decision soon and the truth will come out.

वित्त और वाणिज्य मंत्री (श्री नारायण दत्त तिवारी) : श्रीमन् आज अपराहन में हम सब को यह सौभाग्य प्राप्त हुआ कि देश के जाने माने सांसद भारतीय जनता पार्टी के सम्मानित नेता श्री अटल बिहारी वाजपेयी जी के वाक्-प्रवाह उनकी वाणी के आरोह-अवरोह उनकी सुमधुर शैली की प्रखरता का हमें कुछ आभास हुआ। मुझे कई बार उन्हें पहले भी सुनने का सौभाग्य प्राप्त हुआ है। वह केवल एक राजनैतिक दल के नेता मात्र नहीं वह उन लोगों में से हैं जिनसे देश के बहुसंख्यक लोग यह आशा करते हैं कि वे केवल दलीय दृष्टि-कोण से केवल सीमित व संकुचित राज-नैतिक दृष्टिकोण से वस्तुस्थिति का मूल्यां-कन नहीं करेंगे विशेषरूप से ऐसे प्रश्नों पर जहां राष्ट्रीय हित सन्निहित हों। जहां राष्ट्रीय सुरक्षा के आधारभूत मूल्य और आधारभूत प्रश्न तोले जाते हो ऐसे प्रश्नों पर वे मार्गदर्शन करेंगे मार्ग प्रशस्त करेंगे और ऐसी कोई चेष्टा नहीं करेंगे जिससे मार्ग अवरुद्ध हो और भविष्य की पीढ़ी हमसे यह कहे कि हम इस महान संसद में वाद-विवाद की प्रक्रिया में दलगत राजनीति संकुचित और संकीर्ण राजनीति के कारण अपने आधारभूत मूल्यों को भूल गये। उन्होंने अपनी प्रभावशाली शैली में अंत में यह कहा कि सत्यमेव जयते नानृतम् । तो सत्य की जय होगी ही।

मुझे उपनिषद् का यह श्लोक याद आ गया :

हिरण्मयेन पात्रेण सत्यस्तापि हितम् मुखम्।

जवं पुरुषः महाद्रोणः सत्यवदयाम् हृदये:॥

सत्य का जो ढकना है वह स्वर्ण के आवरण से भले ही विभूषित हो लेकिन सत्य की खोज में प्रत्येक वस्तु को वास्त-विक रूप को देखना आवश्यक है। सत्य के प्रचारात्मक रूप को नहीं, सत्य को असत्य का रूप देकर नहीं बल्कि सत्य को वास्तविक रूप में पहचानना आवश्यक है।

श्रीमन्, मैं आपके माध्यम से आग्रह करूंगा सम्मानित विरोधी दल के नेताओं से और विशेषरूप से अटल बिहारी वाजपेयी जी से कि वे सत्य को देखें। क्यों सरकार को इसकी आवश्यकता पड़ी। अपने देश के हित में, राष्ट्रीय रक्षा के हित में यह आवश्यकता पड़ी कि मीडियम श्रेणी की तोपों को खरीदा जाय। यह रण नीति, ये आवश्यकतायें कौन तय करता है? यह सदन? नहीं। हम तो यहां सुरक्षा के प्रश्नों पर कभी विवाद करते ही नहीं हैं। क्या हमने बोफोर्स तोपों के अलावा हमारे पास क्या क्या है, क्या क्या नहीं है, विवाद किया है? मैं जानता हूं कि सम्माननीय वाजपेयी जी वर्षों तक विदेश मंत्री रह चुके हैं। उन्हें न जाने कितनी बातें मालूम होंती जो गोपनीय हैं। आज भी मालूम होंती। राजनीतिक समिति का सदस्य होने के नाते—मंत्रिपरिषद के—गोपनीयता के आधार पर न जाने कितने गोपनीय रहस्य उन्हें मालूम होंगें जिन्हें वे सदन में कभी नहीं कहेंगे ऐसा मुझे विश्वास है। तो हम आज क्या विवाद कर रहे हैं? क्यों कर रहे हैं? क्या इसकी आवश्यकता है इतनी। आज जब कि हमारे जवान हिमालय की वर्फीली चोटियों में, घाटियों में, मैदानों में, रेगि-स्तान में देश की रक्षा के लिये तत्पर हैं तो उनको आवश्यकता है, देश की सुरक्षा के लिये अच्छी से अच्छी तोपों की और यह सर्वमान्य है। श्री वाजपेयी जी ने भी इसको स्वीकार किया और कई अन्य माननीय सदस्यों ने भी स्वीकार किया कि जहां तक तोपों का प्रश्न है, बोफोर्स तोपें सबसे अच्छी थीं। तो सबसे अच्छा माल लिया गया यह करीब करीब सर्वमान्य है। किसी ने यह नहीं कहा कि बोफोर्स तोपों की गुणात्मकता संदेहास्पद थी। यह नहीं कहा गया।

केवल यह कहा जा रहा है और इसमें संदेह और शंका की राजनीति है। अति राजनैतिक होना, यह किसी भी राजनैतिक मर्यादा में उचित नहीं है। आज यह क्यों हम बार-बार कर रहे हैं। प्रधानमंत्री, जी का नाम ले रहे हैं बार-बार, क्यों-क्यों बार-बार कुछ लोगों का नाम लिया जा रहा है? क्या है इसके पीछे रहस्य? यहां पर संसदीय परिपाटी का बहुत उल्लेख हुआ। मुझे भी सन् 1952 से किसी न किसी प्रकार विधायिका में, विधान सभा में और यहां लगातार सेवा करने का सुअवसर मिला है आपके और सब के आशीर्वाद से श्रीमन्। लेकिन हमने संसदीय परिपाटी यह सीखी कि अगर कोई माननीय सदस्य अपना स्पष्टीकरण देता है कि मैंने ऐसा नहीं किया तो उसके उस स्पष्टीकरण को मान्यता दी जाती है, उसको माना जाता है। प्रधानमंत्री जी ने इस सदन के सम्मुख, संसद के सम्मुख बयान दिया कि इसमें मेरा या मेरे परिवार के किसी सदस्य का हाथ नहीं है।

[**The Deputy Chairman** in the Chair]

एक संसदीय परिपाटी है। यह भी संसदीय परिपाटी है। उन लोगों में से हूं, अंतिम लोगों में हूंगा जो अपने सदन के नेता, विरोधी दल के ऊपर, उनके राजनीतिक चरित्र पर या आर्थिक अथवा किसी अन्य प्रकार के बारे में कोई निराधार आरोप लगाऊंगा। कभी नहीं। हमारा राजनीतिक रक्षक्षेत्र में विरोध हो सकता है, चुनाव के धरातल और होड़ा होड़ी में हमारा विरोध हो सकता है लेकिन यह नहीं कि लांछन में, अपुष्ट लांछन में होड़ी करें। यह हमें कभी मान्य नहीं और हम यह अपेक्षा भी करते हैं अगर प्रजातंत्र को परिपुष्ट करना है। आज मुझे बड़ा ही कष्ट हुआ। संसदीय समिति की सराहना करनी चाहिए थी। उस संसदीय समिति में भी जाने माने सांसद कार्य कर रहे थे। जगन्नाथ कौशल जी को लीजिए, दरबारा सिंह जी को लीजिए स्वयं अलादी अरुण को लीजिए, शंकरानन्द जी को लीजिए; सबका संसद में बहुत लम्बा जीवन रहा है, ईमानदारी का जीवन रहा है, निष्ठा का, देश सेवा का जीवन रहा है, उनका पूरा अपना एक जीवन चरित्र रहा है। क्या ये सब लीपापोती करने में लगे हुए थे। श्री अलादी अरुण ने अपने निवेदन में पृष्ठ 218 में यह कहा है—यह सत्य सामने आ गया है—सत्यमेव जयते नानृतम

"Despite all these drawbacks, I am pleased to say that a few members showed keen interest to achieve the very object of the enquiry. I am one among them."

कई सदस्यों ने इसमें काफी दिलचस्पी दिखाई। मैं भी उनमें से हूं।" कई सदस्यों ने पूरी दिलचस्पी दिखाई, उनमें से वह एक है। बाकी ने तो नोट आफ डिसेंट नहीं दिया। तो इसी में अगर उनका नाम ले लें। कौन कौन थे, अगर आप कार्यवाही के पूरे विवरण को देखें। कितने पैने प्रश्न संसदीय समिति के सदस्यों ने पूछे हैं। लीपापोती का प्रश्न ही नहीं। लीपने को, पोतने को था क्या। कोई बात नहीं थी। स्वयं वाजपेयी जी ने कहा कि यहां तो चिड़िया भी नहीं थी। तो लीपापोती क्यों करते। मुझे बड़ा कष्ट हुआ जब शंकरानन्द जैसे मंजे मंजाये सांसद के लिए कहा गया कि उनसे इस्तीफा दिलाकर उनको समिति का चेयरमैन मनाया गया। महामहिमा, आप यह जानती है कि मंत्री इस्तीफा देने के बाद बहुत जगह रुष्ट हो जाते हैं। हमने देखा है कि मंत्री रुष्ट होते ही पार्टी छोड़ देते हैं, अगर उनसे मंत्रीपद से त्यागपत्र देने के लिए कहा जाये। बल्कि और क्या-क्या कहने लगते हैं। शंकरानन्द जी को अगर इस परम्परा का पालन करना होता तो उनको नाराज होकर समिति की दूसरी रिपोर्ट देनी चाहिए थी। मंत्री पद से त्यागपत्र देकर समिति का सदस्य होना या अध्यक्ष होना आज की मान्यता में यह माना जायेगा कि यह सजा है। बहुत से लोगों को आज की स्थिति में यह मान्यता है कि आज शक्ति की आवश्यकता है इसलिए कहना कि इस्तीफा दिलाकर अध्यक्ष बनाया गया यह कहां तक उचित है। हमें इस बात को सोचना होगा। फिर आगे चलकर यह

कहा गया कि हमने नोट आफ डिसेंट की बात पर टिप्पणी क्यों लगायी गयी । संसदीय विद्यार्थी होने के नाते मैंने देखा है कि दोनों पहलू हैं । ऐसी भी ज्वाइंट पार्लियामेंटरी कमेटीज की रिपोर्ट है या पार्लियामेंटरी कमेटीज की रिपोर्ट हैं जो एक मत से होती हैं । पब्लिक एकाउंट्स कमेटी का सन् 60 में मुझे चेयरमैन होने का सौभाग्य प्राप्त हुआ था । कई ज्वाइंट पार्लियामेंटरी कमेटीज के सदस्य हमारे विरोधी दल के सम्मानित सदस्य कब से रहे हैं । थोड़ा मुझसे ज्यादा रहे होंगे लेकिन पब्लिक एकाउंट्स कमेटी की रिपोर्ट में आज तक विमति टिप्पणी नहीं लगायी गयी, भले ही विरोधी दल का नेता चेयरमैन होता है । बहुत ही असाधारण स्थितियां आती हैं । सम्मानित वर्मा जी बैठे हैं, दीपेन घोष जी बैठे हैं । बहुत जगह विमति टिप्पणी की आवश्यकता होते हुए भी नहीं लगायी जाती है, हां कार्यवाही में उसका उल्लेख होता है, टिप्पणी में उसका उल्लेख नहीं होता है । हमारे यहां सम्मानित ज्योति बसु जब पब्लिक एकाउंट्स कमेटी के चेयरमैन थे तब केवल उनके हस्ताक्षर से ही पब्लिक एकाउंटस कमेटी की रिपोर्ट पेश की जाती थी । विमति टिप्पणी का प्रश्न ही नहीं था । तो आज विमति टिप्पणी भी हुई । हमने यह भी देखा है जब न्यायाधिकरणों के भी निर्णय होते हैं और वहां पर भी अगर कहीं नोट आफ डिसेंट होता है और अगर समय है तो उसका उत्तर देने का प्रयास होता है । इस संसदीय समिति ने अपनी बुद्धि के अनुसार, अपनी नीति के अनुसार उस पर विमति टिप्पणी देना उचित समझा, तो इसमें क्या गलत था ? इसमें कौनसी बात थी कि जिससे हम यह कह सकें कि यह संसदीय समिति की प्रतिष्ठा में कोई बट्टा लगाना है ।

महोदया, यह कहा गया कि इसकी इतनी ज्यादा—पचास से अधिक बैठकें हुई, कितनी अधिक इसने गवाहियां लीं । तो इसका परिणाम नहीं निकला । क्या निकाला जाए परिणाम ? जब तक हमारे संशय और शक को पूरी करने वाली बात न कहें, तो संसदीय समिति गलत है । यह कहां कि बात है ? क्या यह मापदंड है संसदीय समिति का ? और फिर सब से बड़ी बात तो यह हुई कि सब कुछ राजनीति से प्रेरित है ।

मैं विनम्रतापूर्वक कहना चाहूंगा और यह तो तब कहा जब कि माननीय वाजपेयी जी ने अपने बड़े सरल शब्दों में कहा बड़ी सरल भाषा में कहा कि जब हमने समिति को मांग की, तो आप नहीं माने और जब आपने समिति बनाई तो हम नहीं माने । अब क्या भेद है इसका, कि जब हमने समिति बनाई, तो नहीं माने—हम तो मान गये । जब बाद को और तथ्य सामने आये, तो सत्य की शोध में यह आवश्यक है कि संसदीय समिति बने । हमने आपकी इस मांग को स्वीकार किया । रक्षा मंत्री जी यहां बैठे हैं, प्रधान मंत्री जी बैठे हैं, संसदीय कार्य मंत्री जी बैठे हैं, न जाने कितने अनवरत प्रयास हुए कि संसदीय समिति में विरोधी पक्ष शामिल हो । नहीं तो आज अगर नोट आफ डिसेंट ही होना था, तो अकेले अलादी अरुणा का न होता । अगर तमिल नाडू की राजनीतिक स्थिति कोई दूसरी होती, तो शायद वह नोट आफ डिसेंट भी होता या न होता, जैसा कि माननीय वाजपेयी जी ने स्वयं इसका संकेत किया । तो फिर इतनी चेष्टा की—अगर हमारे दिल में कोई चोर होता, इस प्रकार की कोई इच्छा होती, आंकाक्षा होती तो हम कभी दिन-रात प्रयास न करते कि इस समिति में विरोधी दल शामिल हो । कितना प्रयास किया गया; स्वयं मुझे इसकी जानकारी है, कितनी खुशामदें की गईं, कितना आग्रह किया गया कि आइये, आइये, शामिल हों, आपके निवेदन पर यह किया गया; अगर कोई चोर होता, अगर कोई कमी होती, अगर कोई कमजोरी होती, तो संसदीय समिति न बनाने का जो प्रारम्भिक निर्णय था, उसी पर कायम रहा जाता । कोई कारण नहीं था कि संसदीय समिति बनाई जाती, क्यों बनाई जाती ? जैसे आपकी मर्जी

होती, विरोधी दल शामिल हो जाता, ऐसा नहीं था । सत्य की शोध में जितनी अधिक उत्कंठा विरोधी दल की थी, उससे अधिक उत्कंठा शासकीय पक्ष की थी, प्रधान मंत्री की थी । आज प्रधान मंत्री पर ही लांछन लगाया जाता है । कितना दुख है इस बात का कि युवा नेता, इतिहास का महाकाल जो चक्र है युवा नेता को दायित्व सुपुर्द करता है देश को चलाने का—कठिन चक्र उन्हें मजबूर करता है कि वह देश का नेतृत्व संभाले और चलाने के बाद वह चाहते हैं कि ईमानदारी के रास्ते पर देश चले, सरकार चले, कोशिश करते हैं तंत्र को झकझोरने की ताकि लोग अधिक ईमानदार हो सकें ।

कांग्रेस के शताब्दी अधिवेशन का भाषण पढ़िये—कोई अपनी पार्टी के शताब्दी अधिवेशन में इस प्रकार की बात कह सकता है, जैसी हमारे युवा नेता, प्रधान मंत्री ने कही—एजेन्ट्स के नहीं होने की बात । अगर दिल में कोई चोर होता, दिल में कोई कमजोरी होती, तो क्या कोई प्रधान मंत्री यह कह सकता था कि एजेन्ट नहीं रहेंगे, हम नहीं रखेंगे । यह सवाल प्रशासन की दिशा में उठाया गया, एक कड़ा कदम था, जो प्रधान मंत्री जी ने लिया । आज उन्हीं पर आलोचना होती है कि आपने ऐसा क्यों कहा ? यानी उनका दोष—उन्होंने कदम उठाया और उन्हीं के ऊपर कहना कि तुमने ऐसा क्यों किया, इसलिये तुम्हीं हो, कितना शंका का सर्प, यह कहां ले जायेगा ? कितनी शंका है और किस-किस पर हम करेंगे, यह सोचने की बात है और आज तो इसलिये यह बात हमें देखनी है कि ओलेफ पाल्मे की प्रधान मंत्री से बात होती है, स्वाभाविक है—मुझे भी कुछ दिन सेवा करने का अवसर मिला है, इस सदन की सद्भावना से—कई बार ऐसा होता है कि और सम्मानित बाजपेयी जी और सम्मानित वीरेन्द्र वर्मा जी, बल्कि जो भी इन्टरनेशनल डेलिगेशंस गये है उनमें क्या होता है, उपसभापति जी आप भी गये हैं क्या होता है कि एक ब्रीफ दिया जाता है जिन विभागों से आपका मतलब नहीं है उनका ब्रीफ भी मिलता है मंत्रियों को डेलिगेशंस के मैम्बर्स को विदेश मंत्रालय के लोग ब्रीफ करते हैं उसमें व्यापार भी आता है, उसमें उद्योगों के आपस के संबंध भी आते हैं और कई बार ऐसा होता है कि उस ब्रीफ के आधार पर आपको बात करनी होती है । मुझे स्वयं मैं तो अब डरने लगा कि अगर ऐसी बात हो तो । ना जाने इतने ब्रीफ बोलने पड़ते हैं—कोई मतलब नहीं कोई देना नहीं लेकिन बात-चीत करनी पड़ती है । अगर ऐसे आरोप लगें कि आपने उनकी पैरवी की आपने उसको महत्व दिया आपने उसमें इन्टरेस्ट दिखाया तो कहीं राजनीति नहीं रहेगी और फिर कोई बात-चीत नहीं कर सकेगा । मुझे विश्वास है कि वाजपेयी जी ने बहुत सफलतापूर्वक देश के तमाम विभाग, फाइनांस से लेकर इण्डस्ट्री तक, इकोनोमिक और ट्रेड के बारे में बातचीत की होगी । क्या हम सबको जानते । सब कम्पनियों के ऐसे एग्रीमेंट्स चल रहे हैं, उनके बारे में क्या हम जानते हैं ? लेकिन जब कभी हमारे डेलीगेशन जाते है, ज्वाइन्ट कमीशन की मीटिंग होती है, हर विभाग की ओर से पैरवी करनी पड़ती है । यह कहा जाता है कि प्रधान मंत्री जी ने एक्स्ट्रा-आर्डेनरी इन्टरेस्ट दिखाया । किसमें ? प्रधान मंत्री रक्षा मंत्री भी थ । अगर रक्षा मंत्री होने के नाते सोचें कि देश की सुरक्षा सेनाओं के पास कौन सी गन रहेगी और जिसके बारे में एक ही प्रश्न 6 साल से विचाराधीन था, जबकि गैर-कांग्रेसी सरकार थी, उस समय से विचाराधीन था तो ऐसे महत्व-पूर्ण प्रश्न पर अगर प्रधान मंत्री को ब्रीफ दिया जाये कि आप फ्रांस के प्रधान मंत्री से बाते करना, आप स्वीडन के प्रधान मंत्री से बात करना तो यह कोई एक्स्ट्रा आर्डेनरी इन्टरेस्ट दिखाना है ? यह तो अपने दायित्व को पूरा करना है । अपनी जिम्मेवारी को पूरा करना है । अगर वह न चाहते, तो शिकायत की बात थी कि आप डिफेंस मिनिस्टर थे, आप रक्षा मंत्री थे, आपने स्वीडन के प्रधान मंत्री से बात की और हो सकता है, ओलफ पाल्मे एक अन्तर्राष्ट्रीय हस्ती

[श्री नारायण दत्त तिवारी]

आज वह नहीं है। संसार में औलफ पाल्मे का नाम अन्तर्राष्ट्रीय संबंधों के इतिहास में बहुत दिनों तक याद रखा जायेगा । बहुत से समाजवादी और शांतिप्रेमी विरोधी दलों में भी हैं, जो औलफ पाल्मे साहब को जानते हैं और जानते रहे हैं। शायद सम्मानित बाजपेयी जी भी जानते होंगे। क्या हम यह कह सकते हैं कि औलफ पाल्मे साहब जैसे अन्तर्राष्ट्रीय ख्याति के नेता किसी हैंकी-पैंकी या इसमें जो कह रहे हैं, किसी के इसमें शामिल होने की बात भी सोच सकते थे। आज वह नहीं हैं। क्या यह बात सोची जा सकती है कि औलफ पाल्मे के माध्यम से कुछ हुआ होगा। अगर प्रधान मंत्री प्रधान मंत्री से बात करते हैं, तो यह अपने कर्तव्य का पालन करते हैं और औलफ पाल्मे जैसे प्रधान मंत्री से बातचीत करना देश के सुरक्षा मामलों में, और मामलों में यह कोई बुरी बात नहीं है। श्रीमन्, यह प्रश्न उठा कि प्रधानमंत्री जी को क्यों नहीं बुलाया गया। वहां बुलाया गया। वहां की समिति में स्वीडन के प्रधानमंत्री को क्यों बुलाया गया ? कमेटी में इसलिए बुलाया गया कि कार्लसन साहब को उन्हें यह कहा गया कि आपने भारत को बोफोर्स की तोपें क्यों दीं, कोलेबोरेशन क्यों दिया ? यह प्रश्न पूछा गया कि आप तटस्थ देश हैं, न्यूट्रल मुल्क हैं, आपने भारत जैसे देश को तोपें देना क्यों पसंद किया ? नई टैक्नोलोजी की तोपें देना क्यों तय किया, उनसे यह पूछा गया। उसके जवाब में इंग्वार कार्लसन ने जहां तक मैंने समाचार-पत्रों में पढ़ा, देखा और तुलनात्मक अध्ययन किया, इंग्वार कार्लसन साहब ने कहा कि भारत एक शांतिप्रिय देश है, गुट-निरपेक्ष देश है, हमारी नीतियों से मिलता है इसलिए हमने बोफोर्स की टैक्नोलोजी उनको देना तय किया। यह ऐसा नहीं है कि दुकानदार और खरीददार का मामला है जैसा कि माननीय वाजपेयी जी ने कहा कि हम खरीददार थे और वह विक्रेता थे, उनकी गरज थी हम से और हो सकता है कि गरज हो। हम भी तो एक्सपोर्ट की कोशिश करते हैं। कौन नहीं करेगा ? हम तो छोटी से छोटी चीज हो तब भी जरूर कहेंगे कि एक्सपोर्ट करो। एक्सपोर्ट में हर जगह बात करनी पड़ती है। अगर इसमें यह कहा जाए कि हमारा कोई मोटिव है तो शासन करना असंभव हो जाएगा। अगर हर चीज में, हर प्रकार की बात चीत में कहा जाए कि जरूर कोई कमीशन होगा, जरूर कोई होगा तब तो बातचीत करना मुश्किल हो जाएगा। इस प्रकार का वातावरण किसी भी सरकार को हो सकता है आज हम शासन में हैं, आप भी कभी रहे हैं और कई राज्यों में आप भी शासन में हैं, अगर हमारे नेतृत्व पर है आघात होता है, किसी मुख्यमंत्री की आलोचना होती है तो हम सब तिलमिला उठते हैं कि यह क्या हो रहा है। सही तिलमिलाते हैं, मैं नहीं कहता कि क्यों तिलमिलाते हैं। यह पार्टी का काम है अपने नेता का संरक्षण करना चाहिए। फिर जहां हम अपनी ओर आरोप पसंद नहीं करते वहां दूसरा आरोप लगा दे उतनी ही आसानी से तो विचार करें कि उचित है या अनुचित कहां तक यह

10.00 P.M.

उचित है, कहां हम जा रहे हैं, कौनसी परिपाटी हम स्थापित कर रहे हैं, यह तो विचारने की बात है। मैं तो एक ही तर्क देता हूं इस बारे में कि जब मेरे छोटे भाई पूर्व वित्तमंत्री विश्वनाथ प्रताप सिंह जी यहीं बैठे थे, उन्होंने बोफोर्स के जब हस्ताक्षर किए थे, मार्च 13 तारीख लिखी है रिपोर्ट में, और जो हमारी एक्सपेंडीचर कमेटी है, उसने बड़े जोरों से कहा है, सेक्रेटरी एक्स-पेंडीचर जो उस समय थे, उन्होंने कहा

— "I can tell you without any reservation whatsoever that this is a view I had expressed to my colleagues that this is the best gun system that you can get at the best possible terms."

उसके बाद उन्होंने आगे चलकर कहा है कि अगर इसमें भाई विश्वनाथ प्रताप सिंह को कोई शिकायत होती, कोई प्रश्न उनके होते तो वे मुझ से जरूर कहते क्योंकि मैं एक्सपेंडीचर कमेटी की ओर से वहां मौजूद था। विरोधी दलों को तो इतने से ही मान लेना चाहिए था कि चूंकि विश्वनाथ प्रताप सिंह जी के हस्ताक्षर हैं, ईमानदार व्यक्ति हैं, तो इसमें कोई संदेह हो ही नहीं सकता। एक तरफ विश्वनाथ प्रताप सिंह जी को हम इतना महत्व दें, उनको हम यह कहें, आज हालात जो हैं, उनको महत्व देना चाहिए, काम निकालना चाहिए, अपना काम निकालने की

बात है। तो अगर हमें उनकी बात माननी है तो यह भी कहना चाहिए था कि भाई जिसमें विश्वनाथ प्रताप सिंह जी के दस्तखत हैं, उसमें बेईमानी हो ही नहीं सकती, यह कहां से बेईमानी हो गई, यह बेईमानी कैसे हो गई ? अब प्रधानमंत्री जी ने विश्वनाथ प्रताप सिंह जी के दस्तखत देखकर कर दिए तो क्या बेईमानी हो गई है वह ? तो हम कहां जा रहे हैं, यह क्या बात है ? एक तरफ हम दूसरी बात कह रहे हैं और दूसरी तरफ हम कह रहे हैं दस्तखत को मान लना चाहिए, ईमानदार के दस्तखत हैं ।

इतना ही नहीं, आपने सब के नाम लिए कि प्रधानमंत्री को बुलाना था, अरुण सिंह जी को बुलाना चाहिए था, उनको बुलाना चाहिए था । विश्वनाथ सिंह जी को बुलाना चाहिए था । किसी ने नहीं कहा क्या बात है यह ?

अब यह तमाम बातें हैं, इसलिए मैं क्षमा चाहता हूं । शायद राजनीति में हम और आप करीब-करीब एक ही उम्र के हैं । सन् 1942 में हम भी थे, वे भी साथ थे, मैं क्षमा चाहता हूं, अगर मैंने ऐसी बात कह दी, जो आप ऐसी समझें । लेकिन मेरा कर्त्तव्य है कि मैं भी, अगर कोई इस प्रकार के प्रहार किए जाते हैं राजनीतिक, तो उनका उत्तर देने की चेष्टा करूं ।

आज यह कहा जा रहा है, दीपेन घोष साहब ने कहा कि स्विटजरलैंड से समझौता नहीं हुआ । ठीक है, हमारे दो डेलीगेशन वहां गए । स्विटजरलैंड बैंकिंग की पेचीदिगियां कितनी हैं, यह इस कमेटी की रिपोर्ट से ही जाहिर हो जाता है । स्विटजरलैंड छोटा देश है, लेकिन आज से नहीं, सैंकड़ों वर्षों से, जबसे आधुनिक बैंकिंग शुरू हुआ है, उन्होंने अपने यहां एक सीक्रेसी ढंग मेंण्टेन किया है । कितनी कांपलेक्सिटीज हैं, कितनी पेचीदगी हैं, स्विटजरलैंड बैंकिंग का जिनको थोड़ा भी अनुभव है, एक भी दिन स्विटजरलैंड नहीं गया है, वह भी परिचित है । स्विटजरलैंड बैंकिंग सिस्टम के बारे में स्वीडन के प्रोसीक्यूटर जनरल ने जो कहा, बाकी भाटिया साहब ने अपने भाषण में बताया, लेकिन स्वीडन के प्रोसीक्यूटर जनरल ने क्या कहा, इसको जरूर पढ़ना चाहता हूं । इसमें उन्होंने कहा-"Through the enquiry it has emerged that A. B. Bofors during 1986 disbursed about SEK 319 million to three foreign companies with accounts with different banks in Switzerland. A request was made by the Prosecutor General of Sweden through the agency of the Ministry for Foreign Affairs to the competent authority in Switzerland for information concerning which persons were authorised to make withdrawals from the accounts in question and what transactions had taken place."

स्वीडन के प्रोसीक्यूटर जनरल ने अपनी कांपीटेण्ट अथोरिटी से स्विटजरलैंड में मिनिस्टरी आफ फारेन अफेयर्स स्वीडन के जरिए से पूछा । तो क्या जवाब मिला—

—"However in view of the Swiss legislation such information could not be obtained."

इन्क्वायरी हुई, स्विटजरलैंड से कोशिश की गई, ये तीन कंपनियां कौन हैं, उनका एकाउण्ट बताइए । सूचना नहीं मिली । स्विटजरलैंड के बैंकिंग सिस्टम में कितनी पेचीदगी हैं । हमने उनसे बातचीत की है । बातचीत जारी है । उसके लिए आवश्यक है कि हमारा जो क्रिमिनल प्रोसीजर कोड है, उसमें अमेण्डमेंट हो, वह संशोधन तैयार है । लेकिन स्वीडन तो पहले से इस बात को कर चुका है और उनका उत्तरनहीं मिला और उनको उत्तर नहीं मिला । तो चूंकि स्विटजरलैंड के एकाउंट्स सीक्रेट्स हैं, इसलिए इस सीक्रेसी का बहाना बनाकर हम एक दूसरे पर आरोप लगाएं तो यह ठीक नहीं होगा ।

अभी हमारे सम्मानित सदस्य वाजपेयी जी कह रहे थे, कि अभी तो तोपें गरम हैं और न जाने कब तक गरम रहेंगी । मैं यह कहना चाहूंगा कि अब तोपों को ठंडा कीजिए और बोफोर्स तोपों को गरजने दीजए, यदि आवश्यकता पड़े तो । अब आंतरिक विवादों की तोपों को बंद कीजिए । यह जानबूझकर एक दूसरे पर चुनावी प्रहार जो हो रहे हैं इन्हें बंद कीजिए । अभी इलाहाबाद का उपचुनाव हो रहा है तमिलनाडु का भी चुनाव तो हो रहा है उसमें वोट तो हमारे बढ़ जाएंगे लेकिन इससे आधारभूत मूल्यों का हनन होगा । यह मैं आपसे कहना चाहता हूं । इस प्रकार की तोपों को गरमा कर

[श्री नारायण दत्त तिवारी]

सत्य और असत्य का जो एक निरन्तर संघर्ष है, इससे भले ही हम एक-दो चुनाव जीत जाएं लेकिन इनसे प्राजातांत्रिक मूल्यों का बचाव कभी नहीं होगा । इसलिए मैं यह आग्रह करूंगा कि अब इस प्रकरण को बंद किया जाए । महोदया, हमारे रक्षा मंत्री कह चुके हैं कि यह प्रजातांत्रिक सदन है, यदि कोई नए तथ्य हों तो हम विचार करें। लेकिन कितनी बार हम एक-दूसरे पर अविश्वास करते रहेंगे । इसलिए मैं अपने सम्मानित नेताओं से यही आग्रह करूंगा कि हम स्वतंत्र प्रजातंत्र की राह पर चलें । हम चारों तरफ अधिनायकवादी तत्वों से घिरे हुए हैं । प्रजातंत्र हर जगह खतरे में है । चुनाव का पार्लियामेंटरी सिस्टम खतरे में है । हमारे देश में सब ईमानदार हैं सिर्फ राजनीतिक बेईमान हैं, ऐसा आप हमें कहें और हम आपको कहें इससे लोगों का प्रजातांत्रिक पद्धति में विश्वास कम होगा । आपका श्री राजीव गांधी पर हमला, हम सब पर है । यह हमला उन सभी पर है जो भी पार्लियामेंटरी राजनीति को मजबूत करना चाहते हैं । हम सबको बेईमान ठहराने के प्रयास हो रहे हैं । आज अधिनायकवादी तत्व मौजूद हैं । हमें इस बात को सोचना है कि इस प्रकार के प्रहारों से अपने को दूर रखें ।

मुझे विश्वास है कि आज इस विवाद के बाद हम एक नई भावना से कार्य करेंगे, एक नए विश्वास को लेकर कार्य करेंगे । हम अपनी सेनाओं पर विश्वास करें, अपने कमांडरों पर विश्वास करें । यह हम उनके ऊपर छोड़ दें कि कौनसा वीपंस सिस्टम हमारे देश के लिए बढ़िया है और उनसे हम कार्य लें । हमारी सेनाओं पर हमारा अजेय विश्वास है, अटूट विश्वास है—हम यह कहें और फिर आगे बढ़ें तब देश हमें धन्य कहेगा नहीं तो हम हमारे प्रजातंत्र की जो मर्यादाएं हैं, उनको कमजोर कर देंगे, चकनाचूर कर देंगे ।

मुझे विश्वास है कि यह सदन कभी भी ऐसा करने में भागीदार नहीं बनेगा ।

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Madam Deputy Chairman, the report of the Joint Parliamentary Committee is a historic document in our post-independence period. It has been debated in Parliament, deeply investigated by the press and seriously discussed by the public. In other words, the Government is placed on the fire of scrutiny due to this deal. During the debate in Parliament, some of the hon. Members and some of the hon. Ministers like Shri P. Shiv Shanker, and Shri Narayan Datt Tiwari, they have decisively resented my dissent note. I have gone through their speeches. They have aggressively attempted to refute my observation but they have miserably failed in their attempt not because of lack of competence—they are of course senior politicians and even outstanding statesmen. but because of lack of fact. So the attempts have become futlie. Madam, their attempt is nothing but one more attempt of white-washing in addition to the white-washing of Mr. Shankaranand. Neither they have disproved my views; nor they have refuted my charges with facts and figures. Therefore, I firmly stand by my observation despite their replies and refutations. The right to dissent is the basic principle of democracy. It has not been duly honoured by the Chairman of our Committee. So I was compelled to stage a walk-out twice. There was no co-operation from the other Members of the Committee. Fortunately, the Speaker directed the Chairman of the Committee to append my dissent note. Hon. Minister, Bhagatji, has stated in the Lok Sabha—I quote:

"The Chairman might have said that he does not have the power." (*Interruptions*)

SHRI KALPNATH RAI: You cannot quote. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: All right. Hon. Minister, Bhagatji, has stated that... (*Interruptions*) After all, I am going to omit one or two words. That is all. What do you gain?

SHRI V. GOPALSAMY: Mr. Aruna, do not take him seriously. Carry on.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: The Chairman might have said that he does not have the power. (*Interruptions*) For the information of the House, I have to say that. Our Chairman of the Committee has not stated so. Contrary to that, he has outrightly rejected my plea. So, how can I expect democratic duties and demeanour from the Chairman who has failed the basic norms of democracy in the functioning of the Committee? I am to reiterate that... (*Interruptions*)

SHRI PAWAN KUMAR BANSAL (Punjab): Madam, please permit me to make one submission.

THE DEPUTY CHAIRMAN: Yes.

SHRI PAWAN KUMAR BANSAL: I strictly do not dispute the right of Mr. Aladi Auna to speak on this matter. But it is the convention... (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I have mentioned this.

SHRI PAWAN KUMAR BANSAL: Let me complete, please. Madam, Members of Parliamentary Committees do not talk outside about anything which transpires at the meeting of a Committee. Here, Mr. Aladi Aruna is exactly doing that. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Now, the Government is talking the responsibility of the Committee. It is defending the observations of the Committee, the conclusions of the Committee. That is why I am saying... (*Interruptions*) I am referring only from the report.
(*Interruptions*)

SHRI V. GOPALSAMY: Mr. Aruna has got every right to defend his case. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I am strengthening what I have stated in the dissent note. What is this? (*Interruptions*)

SHRI VISHVJIT P. SINGH: Madam Deputy Chairman, through you, may I please assure the House that I know for a fact that Shri Aladi Aruna will change his tune in a little while? Do not worry. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: You are also going to change tune. It may be applicable to you also. Please, kindly sit down. (*Interruptions*)

SHRI PAWAN KUMAR BANSAL: In the note of dissent, with all the pride he says that he has got vast experience of being a Member and of presiding over a number of Committee meetings. But with all himility I want to submit that deviating *from the conventions of those Committees* he should not refer to what has taken place in the meetings and to what is said by the Chairman when the Chairman is not here to defend himself. (*Interruptions*) He should not get up to speak devisively of the Parliamentary Committee. He must know the conventions of these democratic institutions that function here. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I have every right to say that I have already criticised the undemocratic attitude of the Chairman. I reiterate now.

THE DEPUTY CHAIRMAN: I can only say that it does not lie in good taste to make all these aspersions on the Chairman of the Committee. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Please do not think that sweet alone is tasteful. Savoury is also tasteful.

THE DEPUTY CHAIRMAN: You speak only on the merits. You can put forth your point of view.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: In my dissent note I have clearly explained how documents were not provided to the Members to the extent they should have been provided, how documents were provided with omission of pages and paras, how documents

were not circulated to the Members. More than that I would like to inform this House we were quite unaware of the names of the receipients given by the Ministry to our Chairman. But after a few days we came to know them. I would also like to inform this House how the Members were denied opportunities. Morberg and Gothlin came to India on 7th. On 6th, as I mentioned in my dissent note, the Chairman told the Committee that "we received a letter from Bofors people saying that they were prepared to come and apear before the Committee; there is a positive response but due to the Easter holidays they are not in a position to come here immediately. I am quite unaware of their arrival." This is what was stated by the Chairman. But the very next day we received a communication...

SHRI PAWAN KUMAR BANSAL: I would like to know from the honourable Member: Did he not know that some particular witnesses were appearing before the Committee? Did he crossexamine those witnesses or not? Was he not prepared for it?

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Yes, yes; why do you woryy? You are putting irrelevant things.

On 7th morning we received a communication that Mr. Parasaran was going to address the Committee. At 11 o'clock we received a phone message that Morberg and Gothlin were going to appear before th Committee and they would be cross-examined that evening. That evening there was a meeting. I protested against that and I wanted that at least one day's time should be given and that as per the schedule Mr. Parasaran may be allowed to address the meeting and the crossexamination of the two Bofors people be taken up the next day. But my suggestion was rejected outright by the Chairman. Why I am saying all this is I want to show you how the Members of the Committee were denied with the opportunity by the Chairman. Now I would like to tell you another thing. Some Members have said that I submitted a dissent note owing to political interests and that because of the rift in AIADMK I have changed my opinion. Some other Members said, interestingly, that the dissent note of Aladi Aruna is a product of Tamil Nadu politics. Our honourable Minister, Shri Shiv Shanker, also said, "After the death of his mentor they found that the leader was not supported by us; therefore, there is a change of life." I strongly refute this criticism. I had joined this Committee not with the intention of finding fault, but I had served on the Committee with the object of finding the truth and doing service at the national level. But I came to know some facts and what I honestly felt should be known to the public, I have written in my dissent note...

SHRI P. CHIDAMBARAM: When did you come to know?

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Mr. Chidambaram, you go through the verbatim proceedings of the Committee. Right from the beginning I was active, I was dutious in the Committee. But the fact remains that members of the Congress Party in the Committee functioned with political motives. That I can prove.....

SHRI DARBARA SINGH: Since we are members of that Committee, we are close-lipped. But I would like to tell you, if he is allowed to speak like this, then we shall have the right to reply and say what we feel about it.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I am not mentioning you, Mr. Darbara Singh. They criticised me that I submited the dissent note with a political motive. But in the Committee they have acted and participated with a partisan attitude and I can prove that... (*Interruptions*)... Madam, you can go through the record. I have fought for the documents. I have fought for calling for the witnesses. Whenever I asked for the documents and for the witnesses, unfortunately, there was no co-operation from the other Members. I was almost isolated. I was fighting like David against Goliath; That was my position in the Committee.

Here, Madam, some of the Members who were Members of the Committee are available and I would like to ask: Is there any Member belonging to the Congress (I) Party who addressed any letter to the Chairman asking for the documents, asking for an inquiry? Has any Member- I do not say 'many Members' – or have even three or four Members belonging to the Congress (I) Party addressed any letter to the Committee asking for the witnesses to appear? No....(*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Aruna, you are speaking on the Members of the Committee or on the Report of the Committee?..(*Interruptions*).. Let me tell you one thing. You are casitng aspersions on the Members of the Committee and you are not speaking on the Report of the Committee. If that happens again, I cannot allow you. You must have some restraint.

SHRI V. GOPALSAMY: What is the point of order?

श्री मीर्जा इर्शादबेग : उपसभापति महोदया, यह कन्वेंशन संसदीय प्रणाली में हमेशा रही है कि जो भी कमेटी के मैम्बर हैं जब सदन में उस पर बहस हो तो वे न बोलें । श्री अलादी अरुण जो कमेटी के मैम्बर थे उन्होंने डिसेंट नोट दिया था । वह बोल रहे हैं । वे प्रजातांत्रिक उसूलों को कैसे निभा रहे हैं वह जाने । हमारी इस पर आपत्ति है कि कमेटी के अंदर जो प्रोसीडिंग चली और उसके अंदर जो डिसकशन हुआ उसका कहीं भी उल्लेख इस माननीय सदन में माननीय सदस्य क्यों कर रहे हैं । समिति के अन्य सदस्य भी यहां मौजूद हैं । हम सब कन्वेंशन को मानते हैं और इस वजह से हम इस बहस में भाग नहीं ले रहे हैं । इसका मतलब यह नहीं है कि समिति के माननीय सदस्यों को हानि हो । मैं यह चाहता हूं कि इस तरह का उच्चारण इस माननीय सदन में नहीं होना चाहिए । इस बारे में हम आपकी प्रोटेक्शन चाहते हैं ।

THE DEPUTY CHAIRMAN: Yes, Mr. Aruna, you observe the convention.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: My humble submission is, I am very sorry to mention, I was the only Member to address a letter ...(*Interruptions*)...

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Please discuss the Report and don't discuss us.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I was the only Member to address a letter to the Chairman asking for the documents...(*Interruptions*)...

THE DEPUTY CHAIRMAN: You see, the discussion is on the Report...(*Interruptions*)...

SHRI ALADI ARUNA *alias* V. ARUNACHALAH: So, my point is... (*Interruptions*).... What I want to point out is...(*Interruptions*)...

SHRI MIRZA IRSHADBAIG: He can discuss the merits of the Report only... (*Interruptions*)...

SHRI VISHVJIT P. SINGH:*

SHRI V. GOPALSAMY:*

SHRI SANTOSH MOHAN DEV: Madam, what Mr. Gopalsamy has said should not go on record. That should not go on record...(*Interruptions*)...

SHRI V. GOAPLSAMY: If what he has said can go on record, this also will go on record...(*Interruptions*)...

THE DEPUTY CHAIRMAN: They will not go on record.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Madam, let them prove that they have written a letter... (*Interruptions*)... The point that I want to make is...(*Interruptions*)...

THE DEPUTY CHAIRMAN: You are discussing the Report or not?

ठाकुर जगतपाल सिंह : उन्होंने जो कुछ कहा वह कह सकते हैं दूसरे मैम्बरों ने जो कुछ कहा वह यहां नहीं कह सकते हैं ।

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: The point that I want to make is...(*Interruptions*)...

*Not recorded

THE DEPUTY CHAIRMAN: Wait, please... (*Interruptions*)... Silence, please ... (*Interruptions*)... You have to speak on the Report only... (*Interruptions*)...

SHRI GHULAM RASOOL MATTO: If he goes on like this, we will also be forced to speak.... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Aruna, I would just like to point out to you that you cannot discuss the Members... (*Interruptions*)...

SHRI ALADI ARUNA alias V. ARUNACHALAM: All right, all right.... (*Interruptions*)...

SHRI MIRZA IRSHADBAIG: Madam, even the proceedings he cannot quote... (*Interruptions*)...

SHRI V. NARAYANASAMY: Madam, the honourable Member says something about the Members... (*Interruptions*)...

THE DEPUTY CHAIRMAN: He has agreed not to.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Madam, to conceal their party interests conveniently, they have criticised me and have said that I have submitted a note on partisan considerations... (*Interruptions*)...

THE DEPUTY CHAIRMAN: It shall not go on record. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: All right. I adressed a letter to the Chairman requesting him to call ten more witnesses for the Committee. Shri Shiv Shanker stated that there must be some ground.... (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE: There is a limit... (*Interruptions*)...

THE DEPUTY CHAIRMAN: He is not following the convention. What can I do? I am telling him that he should speak on the Report. He is discussing the Members, which is not correct.

SHRI ATAL BIHARI VAJPAYEE: Is it a fact that he wanted some witnesses to be called?

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: The Chairman of the Committee was requested to kindly call some witnesses before the Committee — Mr. B. M. Oza, Indian Ambassador in Sweden Mr. Naik, Joint Secretary, Ministry of Defence, Mr. R. D. Gupta, Mr. Anil Kumar and others. But only a few witnesses were called. The other witnesses were not called by the Chairman because the Committee was not serious to unearth the truth. Rather it tried to endorse the policy and stance of the Government.

Madam, now I would like to say that right from the beginning, the Defence Minister is alarming that the Government is benefited...

SHRI SHIVRAJ PATIL: Madam, every now and then, the members are being criticized, the procedure is being criticized, the Chairman is being criticized, references are beinb made to documents which are not put on the table of the House. Everything is against the rules, against the conventions. Will this form part of the record? (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: It is a new fact. Right from the beginning, the Ministry of Defence is claiming that the Government is benefited by Rs. 261 crores due to the direct negotiations. Whenever there is a discussion about the Bofors deal, the hon. Minister and others have repeatedly made this claim. Madam, I would like to say that there is no offer of Bofors as Rs. 1688 crores as stated or as claimed by the hon. Minister of Defence. Here is the record. The highest offer of the Bofors was Rs. 1619 crores. That is on 10-2-86. Thereafter there is a decline in the offer. The claim that the benefit is to the extent of Rs. 261 crores has been endorsed on principle by this Committee. I totally disagree with this because the Committee also has conveniently taken that stand. On 10-2-86 the offer of the Bofors was Rs. 1619.50 crores. Then on 23-3-86, that is the last and final offer, it was Rs. 1428 crores. So they claim that we are benefited by nearly Rs 192 crores. Madam, if you go through the offer of

Bofors earlier, what was the offer of Bofors in 1984? What was the offer in 1985? All right, its earlier offers need not be taken into consideration. What was the offer of Bofors on 30-1-86? One month earlier the offer of Bofors was Rs. 1474.94 crores. Then there was an increase. (*Interruptions*) Negotiations were going on The Ministry, just to mislead the public, conveniently took the date, 10-2-86. But one month earlier, on 13-1-86, the offer of Bofors was only Rs. 477.94 crores. If you calculate this, the benefit in the final stage is Rs. 7.52 crores; nothing more than that. But the Government had given this incorrect figure, and misleading figure. It was a calculated fraud on the part of the Defence Ministry to miselad the publice.

SHRI PAWAN KUMAR BANSAL: He is misleading the House.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Another claim on the part of the Ministry is regarding the number of crew for the cooperation of the gun system. As far as the Sofma gun is concerned, the requirement of the number of crew is seven where the requirement of crew for Bofors is six. They claim that if Sofma is selected, there will be one extra soldier. Then what will be his salary at such and such a rate for 24 years. They calculated like that and came to the conclusion that the Government is benefited by prefering Bofors to the extent of Rs. 125 crores. What I have to say is that after their selection of the Bofors gun not a single person was recruited. Nobody has been recruited for the operation of that gun. So, it is a hypothetical factor. It is just to mislead the public that in their bargain they have succeeded to save this much. They are creating this impression and they are giving this hypothetical factor.

Then I would like to point out how the members of the Negotiating Committee were sidetracked by the Defence Ministry. As far as the Price Negotiating Committee is concerned, it started its negotiations on 7-6-1984. It had more than 12 meetings between 7-6-84 to 23-10-84. It met more than 12 times till the end of 1984. But it met only three times in 1985 and it had only two meetings in 1986. What is the reason for this? It is said that due to the assassination of Mrs. Gandhi, they were not in a position to continue the matter effectively. Is it plausible? The fact remains that the Price Negotiating Committee was sidetracked by the Defence Ministry. Some clandestine negotiations were going on. Then at the last moment for the approval of the Committee, it was placed before it. (*Interruptions*) Both the Houses of Parliament have been discussing the Bofors deal for more than four times. But the Ministry has not come forward to inform this House of an important factor. I would like to ask the hon. Minister whether he has ever informed this House that the Army Headquarters expressly recommended the Sofma gun. The shift towards the Bofors gun has taken place only in 1986? Have you ever disclosed this fact that nearly 300 crores of rupees have been paid by this Government as advance to the Bofors without interest? Have you ever informed the House that the licences production has been acepted by the Bofors? On the condition of 50 per cent procurement of contract items. Has he ever informed this House that Bofors has refused to give the documentation for manufacturing the engine and gear-box? Has it even been informed to the House that when India produces the weapon, a share in the profit will be given to Bofors? Has he ever informed this House that the Government of India has accepted two-currency system which is a negative factor in this contract? These facts have been concealed from Parliament and the public because the Government was afraid of the fact due to the guilt conscience.

Now Madam, I am to repeat, I am, to remind that the Price Negotiation Committee, as I said earlier, was negotiating the deal from 7-6-1984. When the Price Negotiating Committee was dealing with the matter, three groups have been constituted to deal with the matter. What was the need, what was the necessity? I want an answer for this

from the hon. Minister. Then, Madam, every time, the claim from the Government as far as kickbacks is concerned, no Indian, no Indian associate have been involved in this. Madam, this is a contract between the Government of India and a company in Sweden. Of course, it is quite natural that some of the agents might have come forward to help the contract. But the Government has always been insisting that there is no involvement of an Indian associate. What is the reason? Is there any direct evidence to confront this client? But, at the same time, Madam, there is so much of circumstantial evidence and indirect evidence to show that it must be none other than the Indians. That is number one. I have to say that...(*Interruptions*)... during the deposition of evidence, our Defence Secretary Bhatnagar has clearly stated that as far as negotiation is concerned, no foreign service was utilised; it was a direct negotiation between Bofors and the Government. Then, Madam, the CBI has clearly stated and it has examined and investigated about these three companies. As stated by other Members, these were spurious institutions. They were the tax havens for the purpose of tax evasion and secrecy. It has been proved. So, these are spurious institutions. More than that, Bofors has not produced any record to show that there is some service from the foreign agency. So, my argument is that in the absence of any service from a foreign agency, what is meant is that the amount should be given to a person other than an Indian? It must be an Indian. But we are not able to identify the Indian because we are not, the Committee itself is not serious about unearthing that fact. (*Time bell rings*)

SHRI K. C. PANT: May I ask: If he cannot identify the Indians, how does he know that he is an Indian?

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: That is why I am saying that circumstantial evidence and indirect evidence makes us to think so. (*Interruptions*) I am honest in my observation.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Madam, may I point out that circumstantial evidence also requires an evidence and not surmises? It requires evidence.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Madam, as far as Win Chadha is concernd, it must be known to the House as to how the Government was sympathetic and having clandestine relations with him. Madam, we requested him to appear before the Committee. (*Time bell rings*) And Win Chadha has written a letter to the Committee. What has he written in the letter? He has imposed eight conditions to appear before the Committee. Number one, that his passport has been impounded and a new passport should be given to him, that his money should be released, that protection should be given to him and he must be allowed to return back to America and other conditions. Even that letter has not been placed before the Committee. It was read out by our Chairman. I do not know how many conditions were relaxed by this Committee.

SHRI JAGESH DESAI (Maharashtra): Sir, he cannot disclose in what way the proceedings took place before the Committee.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I am not doing that. (*Interruptions*).

THE DEPUTY CHAIRMAN: You are making all sorts of controversial statements and that is not according to the conventions. So please conclude now. You have to be relevant to your matter.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I am quite relevant. Then as far as Win Chadha is concerned, he took the stand that he was never an agent to the Bofors. But what is the record? The record is that he has received the commission 2 per cent, and .25 per cent. Government insisted upon the policy, no commission, no agent. Then alone in 1986 his agreement has been changed, because of the policy. It has been clearly stated, to Win Chadha we pay commission, on contract commission basis. So it

is clearly stated and more than that even the CBI has clearly stated that Win Chadha was receiving the commission amount for his services rendered during the trials of the guns. It has been stated that the payment received in India up to 1985 was for the services rendered during the trial of the guns and negotiation of the contract. So, he has acted as an agent but it has been denied by Win Chadha. What is unfortunate that the Committee has endorsed the wrong stands of Win Chadha.

THAKUR JAGATPAL SINGH: Madam on a point of order. He is again criticising.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: As far as the Bofors is concerned, it refused to cooperate with the Committee. We asked for particulars about the winding up charges. It refused to give them. At last they gave the names. After receiving the names of the recipients, we examined it. Then we asked for the services of these new three agencies. They refused. Then we asked we do not want the details of the services of these new three agencies rendered in other areas. At least you let us know the details of the services rendered by these three agencies as far as the Bofors gun is concerned. That too was denied under the pretext of commercial secrecy.

SHRI M. M. JACOB: It is better that he should be allowed to publish another book. (*Interruptions*)

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: My point is that the Bofors were recalcitrant. (*Time bell rings*) So, Bofors as well as Win Chadha they have not cooperated. But at the same time as far as our Committee's conclusions are concerned, it has not condemned the recalcitrant attitude of the Bofors. What is the reason for that? The Government is afraid of them. Therefore, Madam, that is the reason why I put the dissenting note to be appended to the Report.

Then I would like to mention that it is the biggest scandal in our history. During the period of Mrs. Gandhi, there was a scandal of Rs 60 lakh due to Nagarwala, but now we see the biggest scandal.. (*Interruptions*)...

SHRI V. GOPALSAMY: Nothing wrong in it! (*Interruptions*).

SHRI K. C. PANT: I know something about this: I don't know if Shri Aladi Aruna knows about it. The money was recovered on the same day from Nagarwala. I want to remind him. Therefore don't use the word 'scandal'. There was no scandal absolutely about it.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: You are not following what I am trying to say.

SHRI K. C. PANT: I am trying to prevent you from making a mistake.

SHRI V. GOPALSAMY: And under myterious circumstances, Nagarwala died; this may also go on record.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: There was a scandal of Rs. 60 lakhs during Mrs. Gandhi's time and now we see the scandal of Rs. 65 crore....*

THE DEPUTY CHAIRMAN: It will not go on record.

SHRI P. CHIDAMBARAM: I am on a point of order..(*Interruptions*).

SHRI ALADI ARUNA *alias* V. ARUNAHALAM): Don't muzzle my voice; it is a legitimate voice...(*Interruptions*). Now I come to undisputed point.

SHRI P. CHIDAMBARAM: Rule 238 prescribed conditions under which the hon. Member can speak. Can he make a charge like this? Obviously, he is referring to Prime Minister. Can he make a charge like this? If he makes a charge, he has to give notice of it and substantial it. He cannot take shelter under carefully chosen words. If he makes a charge, let him substantiate it or bear the consequences; otherwise he should not make charge. Let him make up his mind.

THE DEPUTY CHAIRMAN: I have already said it would not go on record. You now conclude please.

*Not recorded.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: The undisputed area is that kickbacks have been paid when our Prime Minister was in charge of Defence Ministry. There is no dispute about it. When R. K. Shanmugum Chetty was the Finance Minister after Independence, there was a scandal and he was compelled to resign not because of any of his involvement but for political ethics. Similarly, Feroz Gandhi raised the Mundhra issue on the floor of the House and at that time, T. T. Krishnamachary was the Finance Minister. Though Justice Chagla did not pass any adverse remarks against Krishnamachari, even then he resigned because scandal had taken place when he was Finance Minister. So, now the scandal has taken place when our Prime Minister was the Defence Minister.... (*Interruptions*). Therefore, I demand regisnation of the Prime Minister to uphold the ethics of democracy.

SHRI DARBARA SINGH: I would not like to say anything against anybody but I may tell you, I had put a question to Bofors whether in India or abroad, the Prime Minister and his family are involved in these kickbacks, and the reply I got was 'absolutely not'.

श्री माधव सिंह सोलंकी : उपसभापति महोदया, कोई स्कैंडल साबित हो जाय और उसके अनुसंधान में कोई एक्शन लिया जाय, यह एक बात है। लेकिन जिसका कोई आधार न हो, ऐसी स्कैंडल बनायी जाय, और जिसको साबित करने की कोई चिंता भी न करे तो वह अलग बात हो जाती है। महोदया, ब्रिटेन के राजनीतिज्ञ एडमंड बर्क ने एक बार कहा था –

"If an idiot were to tell you the same story everyday for a year, you would end be believing it."

इसी तरह से कोई आदमी बिल्कुल गलत बात कहता ही रहे, कहता ही रहे, एक साल तक कहता रहे तो गलत बात को भी लोग सच मानने लगते हैं। महोदया, यह बोफोर्स की कहानी एक साल से शुरू हुई है। शुरू ऐसे हुई कि एक दिन एक विदेशी रेडियो ने जाहिर किया कि बोफोर्स के डीलमें हिंदुस्तान के कुछ राजनीतिज्ञ, कुछ डिफेंस पर्सोनल, प्राइम मिनिस्टर और इनकी कांग्रेस पार्टी ने ब्राइब ली है। इमीडियेटली भारत सरकार ने उसका कांट्राडिक्सन दिया और स्वीडन सरकार और बोफोर्स कंपनी को भी पूछा कि यह गलत बात कैसे चली इसकी तलाश करिए। स्वीडिश रेडियो से भी पूछा। स्वीडिश रेडियो ने कहा कि यह समाचार हमको दिल्ली से मिला, हमारे करासपोंडेन्स से। यहां तलाश किया गया तो करासपोंडेन्स ने कहा कि मैं कोई जवाब देने वाला नहीं हूं। तो इसका कोई आधार रहा नहीं। बोफोर्स ने भी कह दिया कि ऐसे कोई पैसे नहीं दिए गए, कोई ब्राइब नहीं दी गयी। फिर हमारे विरोधी दलों के नेताओं को लगा कि यह एक ऐसा मसाला है जिसके आधार पर हम भारत सरकार को, प्रधान मंत्री को और कांग्रेस पार्टी को भी बदनाम कर सकते हैं। जब भारत सरकार ने स्वीडन स्थित अपने राजदूत के माध्यम से स्वीडिश गवर्नमेंट और बोफोर्स रेडियो—सब से पूछताछ की कि सही बात क्या है? तब भारत सरकार के आग्रह पर स्वीडिश गवर्नमेंट ने एक स्वीडिश नेशनल आडिट ब्यूरो की रचना की और उसको जांच-पड़ताल करने का काम सौंपा। नेशनल आडिट ब्यूरो ने ऐसा बताया कि इस सौदे में कमीशन एजेंट थे और कुछ कमीशन्स भी दिया गया है। तब तुरंत प्रधान मंत्री जी ने विरोधी पक्ष के नेताओं को बुलाया और इनके साथ सलाह-मशविरा किया और यह तय किया गया कि इसकी पूरी जांच हो सके इसके लिए दोनों सदनों की एक जाइन्ट पार्लियामेंटरी कमेटी बनायी जाय यह कमेटी बनायी गयी और इसे यह मुददे सौंपे गए कि जो तोपें खरीदी गयी हैं, उनकी क्वालिटी अच्छी है या नहीं और सौदा करने के लिए कोई ब्राइब भी दी गयी है या नहीं? कमेटी ने पूरी मेहनत कर के विटनेसज एक्जामिन किए, डाकुमेंटस एक्जामिन किए, तमाम एविडेंस जो उसके सामने आए उनको एक्जामिन किये और यह निष्कर्ष निकाला कि तोपें अच्छी हैं और हमारे सुरक्षा बलों की जरूरियात के मुताबिक हैं। उसकी कीमत का अंदाज असल में सोलह सौ करोड़ रुपए था। नेगोशिएशन कमेटी की मेहनत की वजह से यह चौदह सौ करोड तक उतारा गया और यहां देश को दो सौ करोड रुपए का फायदा हुआ। कमेटी ने यह भी निष्कर्ष निकाला

[श्री माधव सिंह सोलंकी]

कि इसमें कोई मिडिलमैन है नहीं और था भी नहीं और कोई ब्राइब भी नहीं दी गयी है। महोदया, ताज्जुब इस बात का है कि विरोधी दलों के नेतागण इस कमेटी की रिपोर्ट को देखने के बाद भी हकीकत स्वीकार करने को तैयार नहीं हैं। वे क्यों तैयार नहीं हैं? असली कारण यह है कि इन नेताओं को तोपों के सौदे के बारे में सत्य क्या है, यह जानने की जरा भी चिंता नहीं है। इन लोगों की दिलचस्पी भारत के प्रधान मंत्री और कांग्रेस पार्टी को बदनाम करने की है। महोदया, हम जानते हैं कि हमारे विरोधी दलों ने स्वीडिश रेडियो कंपनी की जाहिरात सुनते ही शोर मचा दिया था। इन्होंने खुद में ज्वाइंट कमेटी की मांग की थी और कुछ उत्साही नेतागण तो यूरोप की परिक्रमा भी कर आये। वे स्वीडीन और स्विटजरलैंड भी गए और बहुत खोजा, बहुत तलाश की, जांच-पड़ताल भी की लेकिन भारत सरकार या प्रधान मंत्री और कांग्रेस पार्टी के खिलाफ जो मसाला वह चाहते थे, वह नहीं मिला। इन्होंने तो मेहनत करने में कोई कोशिश नहीं छोड़ी थी, लेकिन मिला इसलिए नहीं क्योंकि असम में कुछ था ही नहीं। खुद स्वीडन के पब्लिक प्रासीक्यूटर ने, जोकि चाहते थे कि बोफोर्स कंपनी को प्रासीक्यूट करें, उन्होंने भी यह विचार छोड़ दिया क्योंकि उनके पास भी कोई एवीडेंस नहीं आया था।

उपसभापति महोदया, विरोधी दल के नेतागण, सरकार या रूलिंग पार्टी के खिलाफ कितना ही कनार्ड चलाने की कोशिश करें, उसका जवाब तो उनको मिल जाएगा लेकिन मुझे इस बात का दुख है कि कनार्ड के अति-उत्साह में उन्होंने तोपों की क्वालिटी के बारे में संदेह उठाए हैं जो टीकायें की है वे देश के लिए बहुत खतरनाक हैं, यह बात हमें नहीं भूलनी चाहिए। अपने राजनीतिक मकसद को पूरा करने के लिए ऐसी शंकायें फैलाना शायद उनको फायदा पहुंचा सकता है लेकिन यह बात हमारे सैनिकों के लिए जोकि हमारी शस्त्र सामग्री को इस्तेमाल करते हैं, बहुत खतरनाक हो सकती है। उनका डिमोरलाइजेशन हो सकता है और इससे सारे देश को भी नुकसान हो सकता है। महोदया, अगर विरोधी दलों के नेताओं को सही जानकारी चाहिए थी, टूथ को पकडना था तो विरोधी दलों ने संयुक्त संसदीय समिति में हिस्सा लेने से इंकार क्यों किया? उन्होंने शरीक न होने का जो कारण बताया है वह कनविंसिंग नहीं लगता। शायद कारण यह हो कि वे जानते हैं कि जो आरोप वे लगाते हैं उसमें कोई तथ्य तो है नहीं, कमैटी में जाकर भी क्या करेंगे जबकि इनका एक-एक अक्षर इंच-इंच कर के टूटता जा रहा है। खैर समिति में हिस्सा न लिया न सही, लेकिन उनके पास जो एवीडेंस हैं ऐसा कहते हैं उसे समिति के पास पेश क्यों नहीं किया? इसका जवाब उन्होंने आज तक नहीं दिया और दे भी नहीं सकेंगे। महोदया, विरोधी दलों ने ही 1987 में बजट सेसन में जे० पी० सी० की मांग की थी और आटम सेसन में जब जे० पी० सी० बनी तो विरोधी दलों ने गूलाटी लगा दी और विरोध कर दिया। महोदया हम इस कमेटी को सही तौर से धन्यवाद देना चाहते हैं क्योंकि यह पूरे संसद की कमेटी है जिस संसद के विरोधी दल के नेता लोग भी सदस्य हैं, इस कमेटी के पास गवर्नमेंट ने जो डाकुमैंट पेश किए, इन्टेलिजेंस एजेंसी की जो रिपोर्ट आई सेक्रेटरी आफ मिनिस्ट्रीज की जो गवाही आई है, डिफेंस के उच्चतम अधिकारियों ने जो बयान दिए। उन सब को देखकर

11.00 P.M.

जो निष्कर्ष निकला है वह संसद के समक्ष और प्रजा के समक्ष रख दिया है। हमें सरकार को भी धन्यवाद देना चाहिए कि सत्य की खोज के लिए आरम्भ से ही सरकार ने जो वायदा किया था समिति को सहकार देने का, मदद देने का वह वायदा पूरा किया है। भारत के इतिहास में यह पहला किस्सा है जब कि तलाशी का जो अधिकार सरकार का है उसे संसद को दे दिया है। विरोधी दल इसमें शरीक क्यों नहीं हुए? सरकार ने विरोधी दल को आमंत्रित किया था। आपने की एकोमोडेट करने की भी तत्परता दिखाई लेकिन आप नहीं आए। आप सत्य की जांच से दूर ही दूर रहे। अगर आप समिति के काम में शरीक होते

तो आपको अपना दृष्टिबिन्दु पेश करने का मौका मिलता । आप साहेदों को क्रास-एग्जामिन भी कर सकते थे । जिन विटनेसेज को आप एग्जामिन करना चाहते उनकी लिस्ट आप दे सकते थे । गवर्नमेंट की कार्रवाई अगर अच्छी नहीं लगती तो गवर्नमेंट को एक्सपोज भी कर सकते थे । आप एटोर्नी जनरल को यहां बुलाने की मांग आज कर रहे हैं तो वहां जी भर के उन को एग्जामिन कर सकते थे । और कुछ नहीं कर पाते तो जो अभी अरुण जी बता रहे थे, कि उनको अच्छा नहीं लगा तो विरोधी दल के नेतागण भी उसमें होते तो वाकआउट करके अपना विरोध प्रदर्शित कर सकते थे ।

यह सब करने मे आप को कौन रोकता था ? लेकिन आपने कुछ नहीं किया आप तो भाग गये समिति से और आज जे० पी० सी० की निन्दा करते हैं, उनके दोष देखने लगे हैं और कहते हैं कि जे० पी० सी० ने कवर-अप का काम किया, यह बात बिल्कुल गलत है ।

शंका और कुशंका के जो बादल शुरू से आज तक विरोधी दलों ने जमाये हैं वे लम्बे अर्से तक जमने वाले नहीं हैं । समिति ने स्पष्ट रूप से पूरी तलाशी के बाद जो निष्कर्श निकाला है इससे शंकाएँ निर्मूल हो जाती हैं । आप जो आक्षेप लगा रहे हैं इसमें कुछ भी तथ्य नहीं हैं यह साबित हो चुका है । फिर भी विरोधी दल के नेतागण पुरानी बात को जलाये रखना चाहते हैं वह चाहते हैं आग जलती ही रहे लेकिन जलाना तो उसको आता नहीं । एक उर्दू शायर ने कहा है :

जलाने वाले काश जलाना तुझे आता,
यह जलना कोई जलना है कि रहे
जाय धुंआ होकर ।

कितना भी मिसइन्फरमेशन या डिस-इन्फरमेशन वह चलाते रहे आखिर सत्य प्रकट हो कर ही रहता है । इनकी बात गलत साबित होती रही है ।

जे० पी० सी० को जिसने निष्पक्ष रूप से अपना काम किया इसके लिए मैं उसे धन्यवाद देना चाहता हू । कमैटी ने अपना फर्ज पूर्ण निष्ठा से पूरा किया और पूर्ण रूप से निष्पक्षता (आब्जेक्टिविटी) के साथ अपना फर्ज बजाया है । जहां भी कमैटी को कंटराडिक्शन दिखायी दिये तो तुरन्त उनका एक्सप्लेनेशन भी मांगा है संबंधित अधिकारियों से या विटनेसेज से । कमैटी ने कोई रबर स्टैम्प का काम नहीं किया । उसकी पूर्ण स्वतंत्रता और निष्पक्षता कमेटी की इस रिपोर्ट के हर पेज में देख सकते हैं । अगर इतनी मेहनत के बावजूद भी रेसिपिएंट्स (पैसा लेने वालो) के नाम नहीं मिले हैं तो अपोजिशन, लीडर्स कमैटी को दोष देते हैं, सरकार को दोष देते हैं अभी ही किसी ने बताया कि इंडियन ने पैसे लिये थे । रक्षा मंत्री जी ने पूछा कि आप नाम बताइये तो वह बता नहीं सकते ।

अगर इनके पास ऐविडेंस है तो ऐविडेंस देते क्यों नहीं ? और जब एविडेंस नहीं हैं, कोई बात साबित नहीं होती है तो जैसे कहने लगते हैं कि हमने तो फैसला कर लिया है, निर्णय कर लिया है कि यही बात पक्की है । आप एविडेंस हमारे लिए खोज लाइये । कहां से एविडेंस ढूंढ लायेंगे ? अगर एविडेंस है ही नहीं, मिलता नहीं है, तो उसे मैन्यूफैक्चर नहीं किया जा सकता । विरोधी दलों की यह जो बात है यह व्यवहार से साबित हो चुका है कि इनकी सत्य जानने में कोई दिलचस्पी नहीं है, इनकी दिलचस्पी केवल पालिटिकल है । गवर्नमेंट, प्राइम मिनिस्टर और कांग्रेस पार्टी को बदनाम करने की है, लेकिन यह करने में विरोध पक्ष बिलकुल एक्सपोज हो गया है, इसकी बाजी खुल गई है । गवर्नमेंट को दोषी ठहराने के लिए जो प्रयास उन्होंने किए, सब नाकामयाब साबित हुए हैं । सरकार के खिलाफ आरोप लगाने की बात अब एक चल चुके कारतूस जैसी लगती है । वह कारतूस जैसी दिखाई देती है, वैसी है नहीं, अब इसमें कुछ नहीं है । मदन जी ने ठीक ही कहा कि

"Now it is a dead horse. How long are you going to whip it?"

उपसभापति महोदया, विरोधी दलों के नेतागण चाहते हैं कि सबूत हो या न हो, सजा कर दो, सजा फटकार दो। इनके पास सस्पीशियन हैं, शंकायें हैं, सबूत नहीं हैं। मैं विनती करूंगा कि इनके साथी और सीनियर मैम्बर श्री जेठमलानी ने कल सुप्रीमकोर्ट में एक बयान दिया और कहा कि केवल शंका के आधार पर किसी को दोषी नहीं ठहराया जा सकता। मेरी विरोधी दल के नेताओं से प्रार्थना है कि आप पालिटिशियन्स जरूर हैं लेकिन आप इंसानियत वाले राजपुरुष होना पसंद क्यों नहीं करते? एक शायर ने कहा है —

इंसान वही इंसान है इस दौर में जिसने
देखा हो हकीकत को, हकीकत की नजर से।

आप हकीकत को स्वीकार करें और जो गलत बात पकड़कर खड़े हैं उसे छोड़ दें। इससे आपका मकसद सिद्ध होने वाला नहीं है। मेरी प्रार्थना है कि जो अभी बताया गया, तिवारी जी ने भी बताया कि अब इस बात के ऊपर पर्दा लगा दें। यह गलत बात एक साल तक चली। लेकिन इसकी भी कोई हद होनी चाहिए। गलत बात लंबे अरसे तक चल नहीं सकती लेकिन नुकसान जरूर करती है और इससे देश को कोई फायदा नहीं होता है। जब आपके पास कोई सबूत नहीं है तो इस बात को छोड़िए और अगर सबूत मिल भी जाये तो किसी भी टाइम पर आप सरकार के समक्ष आ सकते हैं। अगर वह साबित हो जाए तो गवर्नमेंट ने और प्रधान मंत्री ने तो वायदा किया है कि वे किसी को भी नहीं छोड़ेंगे, उनके ऊपर जो भी कानूनी कार्रवाई होगी, वे जरूर करेंगे। मैं आपका धन्यवाद मानता हूं।

THE DEPUTY CHAIRMAN: Shri Bekal Utsahi.

SHRI V. GOPALSAMY: Madam, it is my turn.

THE DEPUTY CHAIRMAN: He is just going to quote a couplet.

श्री बेकल 'उत्साही' (उत्तर प्रदेश): महोदया, साल भर से बोफोर्स के ऊपर सुन रहा हूं और आज इस सदन में अपने माननीय वाजपेयी जी को पिचकारी शब्दों की शैली में जोत जगाते हुए देखा और सुना और आदरणीय तिवारी जी को सत्य की छांव म जगमगाते हुए देखा और सुना, सोलंकी जी को हकीकत की नजर से देखा और अरुण अलादी जी को अपनी डगर स डगमगाते हुए भी सुना और देखा, तो वही बातें मैं आदरणीय तिवारी जी के चिराग से चिराग जला कर दो-तीन लाइनें पेश कर रहा हूं :

आज बोफर्स आजमाने के सिवा
कुछ भी नहीं।
यानी एक किस्सा सुनाने के सिवा
कुछ भी नहीं।

श्री वाजपेयी जी सुनें —

तुम बना देते हो बातों का बतंगढ
सुबहो शाम,
रंग मोहफिल में जमाने के सिवा
कुछ भी नहीं।

क्या गरज तुम को किसी की बिगड़ी
या किस की बनी,
सिर्फ तुम्हें अपनी बनाने के सिवा कुछ
भी नहीं।

तुम को मतलब यह कि चढ़ जाये
जमाना दार पर,
अपना चोखापन बचाने के सिवा
कुछ भी नहीं।

जुस्तजू में सत्य के हम थे तो तुम
बैठे रहे,
बाद में तोहमत लगाने के सिवा कुछ
भी नहीं।

झूठ को चुनरी भी सच की तुम
ओढ़ा के लाते हो,
असल का चेहरा छुपाने के सिवा
कुछ भी नहीं।

फूंक कर घर को स्वयं तुम शोर करते
हो "बचाओ",
यह अदा साजिश दगाने के सिवा
कुछ भी नहीं

आओ प्रजातंत्र की जानिब बढ़े बेकल
के साथ
वरना यह घर आने-जाने के सिवा
कुछ भी नहीं है

SHRI V. GOPALSAMY: Madam, Deputy Chairman, when the two hands of the clock are closing together to strike the midnight hour in another 50 minutes, we are discussing the Bofors scandal, the biggest scandal which has rocked the foundation of the ruling party.

THE DEPUTY CHAIRMAN: Bofors are not Indo-Sri Lankan Accord please.

SHRI V. GOPALSAMY: I can link the Sri Lankan episode here. It is Bofors which made this Government send troops to divert the attention of the people, Madam.

THE DEPUTY CHAIRMAN: I want you to talk only about Bofors. That is why I said that.

SHRI V. GOPALSAMY: Madam, our hon. colleagues from the Treasury Benches enjoyed the poetic words of Mr. Bekal Utsahi. But I remember the words of Shakespeare. The apprehension and fear emanating from guilty conscience which haunted and hounded the minds of Macbeth and Lady Macbeth, now seem to threaten the mental fabric of the ruling party headed by Mr. Rajiv Gandhi. That is the fear. They are frightened by the fear of explosion of the truth on Bofors before the eyes of the world.

Madam, Mr. Rajiv Gandhi, the hon. Prime Minister of India, made a categorical statement on the flood of this House that there was no middle man and no payments were made. On the 27th of April, 1987 again before the Army Commanders he emphatically stated that there was no middle man and no payments were made. But what happened to the credibility of the Government headed by Mr. Rajiv Gandhi who made these assertions? The credibility is drowned in the deluge of the truth when it was exposed that there have been middle men and payments have been made. It has been established beyond any shadow of doubt that payments have been made, I salute the conviction of Mr. Arun Singh. He is from the ruling party. He was the then Minister of State for Defence who signed the Agreement. He was handling the portfolio. He came out today openly that Bofors has committed a breach of faith. That is nothing but fraud and misrepresentation by Bofors.

Then what happened to the statement of our hon. Prime Minister, when he accused the Opposition that the allegations were false, baseless and mischievous and emanated from Delhi? That is the Swedish Radio story of 16th April, as it emanated from Delhi. That was asserted by the Prime Minister on the floor of this House. Now it has been proved that Bofors have committed a breach of faith.

I was really impressed when Mr. Arun Singh made his remarkable speech today. People need some courage and conviction to come out openly like that. It was prized by John Kennedy in his book 'Profiles in Courage', which got the Pulitzer Award, the prize for the politicians, both Republicans and Democrats, who came out openly to speak the truth to their conscience rising above the party considerations. That job was done by Mr. Arun Singh today.

I would like to know from the hon. Defence Minister whether it is a fact or not that when Mr. Morberg and Mr. Gothlin came here in September, 1987, before they deposed before the Bofors Joint Parliamentary Committee, they had discussions with the Officials of the Defence Ministry for two days. Is it a fact or not? In that discussion, I would like to place it on record, they gave the message to the officials of the Defence Ministry that one of the recipients — one of the three companies — was "Pitco". The name "Pitco" was mentioned to them. I would like to get a categorical reply to this question from the Defence Minister. I want to know whether this information about Pitco was given to the officials of the Defence Ministry or not. Therefore, now it has appeared that "knowledgeable sources now confirm that the two senior Bofors executives, Mr. Morberg and Mr. Gothlin, first named the mysterious "Pitco" as one of the three recipients of the huge Bofors payoffs totalling Rs. 64 crores made in connection with the howitzer deal with India. Then — for some reason which the Government of India has chosen not to make public—the code name "Pitco" was changed to "Moresco"

and the front company behind the latter was given as Moineau S.A., registered in Lausanne.

Journalist Chitra Subramaniam of the renowned national daily, *The Hindu*, which has been supporting the ruling party even since the days of Emergency, whose Chief Editor is a close friend of our Prime Minister also, has made some revelations of devastating effect against the Government. I quote *The Hindu* dated April 22.

This is about the documentary evidence. Here Madam Chitra Subramaniam says, I quote:

> "Documents made available to *The Hindu* on an exclusive basis during the course of its European investigations into *l'affaine Bofors* establish an irrefutable connection between the Moresco-Pitco payments made by A. B. Bofors in connection with the howitzer deal with India and Sangam Ltd. New Zealand House, Haymarket, London, the Hinduja Company that is registered in England."

Again I quote :

> "Moresco" is the reference or code name for one category of Bofors payments—made after the signing of the Bofors—India contract in March, 1986 in connection with the sale of howitzers to India and explained by senior Bofors representations as "winding up charges."

Madam, I would like to quote one more important paragraph in that item:

> "Documents No. 3, 4 and 5 — all of which are marked for the attention of "Mr. Marshi" and are linked to the Bofors attempt to sell howitzers and other items to India and also to "Moresco" and "Pitco" by cross references—reveal that the "three per cent' remuneration mentioned in the CBI report as payable under the 1979 (Pitco) agreement is a considerable understatement."

Whether it is Pitco or Moresco or Moineau, they are all one and the same. Madam, may I know from the Government whether they would take up the issue with the Government of Sweden to ask th Chief Prosecutor to reopen the case again? The Attorney-General has stated even though there is no clause in the agreement about the involvement of middlemen, that does not alter the legal position. This was rferred to by the hon. Minister, Mr. K. C. Pant also. Then in that case may I ask the Minister whether the Government is prepared to take up the issue again with the Swedish Government to refer the matter to the Administrative Tribunal in Sweden? I want to know the response or attitude of the Government to this question.

Madam, very alarming revelations have appeared again in "The Hindu" on the 8th May, 1988 regarding the diary of Mr. Ardbo, the then Chief of Bofors. The dairy was seized by the Chief Prosecutor's office in Sweden in November, 1987. The dairy establishes that Mr Martin Ardbo met some people in Vienna on 10th September, 1987. Who are those people? Mr. Chandraswamy, Mr Agarwal and also the greatest international Arms dealer Mr. Khashoggi.

SHRI KALPNATH RAI: They belong to Opposition.

SHRI V. GOPALSAMY: You please listen. It has appeared in his dairy. It has been quoted in "*The Hindu*" I do not know whether Mr Kalpnath Rai's name is also there in Mr Ardbo's dairy. I am not speaking about Mr. V. P. Singh. You please keep quiet.

Madam, in that dairy which causes concern and in that entry it is written as late as September, 1987, "after a discussion with 'H'. "That 'H' does not carry the Arun Nehru card. "He does not mind even if 'Q' is hurt. But 'G' must be saved at all costs. " Who is that 'G'?

SHRI P. CHIDAMBARAM: 'G' is for Gopalsamy.

SHRI V. GOPALSAMY: I am proud to be called like that.

SHRI KALPNATH RAI: You are G.

SHRI V. GOPALSAMY: Yes, But this is not a matter to cut jokes. . .(*Interrup-*

tions)...Mr. Chidambaram, I am quoting from the "Hindu". You please listen.

SHRI P. CHIDAMBARAM: So what?

THE DEPUTY CHAIRMAN: Mr. Gopalsamy, please address the Chair. No cross talking please.

SHRI V. GOPALSAMY: Because truth hurts them... (*Interruptions*)...

In this dairy, he has noted that "let us later contract G." (*Interruptions*)...

Mr. Kalpnath Rai, when the time comes, I will show you. I would like to know whether for this reason Mr. Chandraswami was arrested when he landed in Madras because the Government feared something, some information which may be damaging... (*Interruptions*)...

SHRI KALPNATH RAI: Mr. Chandraswami is financing the Opposition parties nowadays.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: So he has deprived you.

SHRI V. GOPALSAMY: Madam, it has again appeared on March 29th in the "Hindu", a very alarming report about the contacts with a family in India. I quote from Chitra Subramaniam's report.

"Mr. Anders Bjorck, Deputy Chairman of the Swedish Parliament's Standing Committee on the Constitution and a Conservation M.P.... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Are you quoting from press cuttings?

SHRI V. GOPALSAMY: It is a press cutting, Madam. I am quoting it.

THE DEPUTY CHAIRMAN: No, you cannot go on quoting like that.

SHRI V. GOPALSAMY: Madam, I have got a number of quotations. I am not quoting all the press material. This is very relevant and I would like to place it on record. Therefore, Madam, I quote:

"He asserted in a newspaper article published today that with reference to the Bofors sale of Howitzers to India, "directly and indirectly there has been close contact with...*(*Interruptions*). He said he was making this statement on the basis of studying the classified documents made available to him as a member of the Committee. Mr. Bjorck's article appeared in Expression of Tuesday... (*Interruptions*)...

When asked about the basis of his assertion, Mr. Bjorck told this correspondent that he had gone through "every piece of information" in the documents relating to the Bofors-India... (*Interruptions*)...

SHRI SHIVRAJ PATIL: Madam, this cannot be allowed to go on record... (*Interruptions*)...

SHRI V. GOPALSAMY: It is very much relevant. What is wrong in it?

SHRI SHIVRAJ PATIL: Madam, it cannot be allowed to go on record.

THE DEPUTY CHAIRMAN: It cannot go on record. (*Interruptions*)...

SHRI V. GOPALSAMY: Madam, a very relevant article has appeared in the "Hindu". (*Interruptions*)

THE DEPUTY CHAIRMAN: Allegations regarding... (*Interruptions*)... It cannot go on record.

SHRI V. GOPALSAMY: Then the Government can move the court against these articles, I mean against the piece of information given in the "Hindu". (*Interruptions*)

THE DEPUTY CHAIRMAN: You are quoting one press cutting after another. ...(*Interruptions*)...

SHRI V. GOPALSAMY: It has appeared in a renowned national daily throughout India, *i.e.* the "Hindu".

SHRI SHIVRAJ PATIL: Madam, it canont be quoted.

SHRI V. GOPALSAMY: If the Government has any grievance, they can go to the court... (*Interruptions*)...

THE DEPUTY CHAIRMAN: It cannot be recorded.

SHRI V. GOPALSAMY: Madam, the previous speaker referred to the proceed-

*Not recorded.

ings in a court of law. The benefit of doubt could be given to the accused. That is the difference. But the performance of the Government is something different from the proceedings of a court. Therefore, Caesar's wife should be above suspicion. The Government should be cleared of the suspicion because suspicion has arisen in people's minds due to these reports. There is a saying in Tamil: "ORV POYYINAI MARAIKKA ONPATHU POYY SOLVAN" *i.e.* to cover up one lie, the lier will say nine lies; or which means because you wanted to bury the truth, you told untruth. Then to cover up that, you repeated the untruth following the dictum of Dr. Goebbells. Here your credibility has been totally lost. Now you want to chase away the shadow of allegations, the shadow of charges against this Government, a crooked shadow. You are chasing the crooked shadow, but that shadow will stand as long as the Government of Mr. Rajiv Gandhi stands. You cannot chase away that shadow. Then people will give you their verdict and you will learn a lesson.

THE DEPUTY CHAIRMAN: Now, there are four speakers from this side only. If you take a little time, I can accommodate. Otherwise, it will go up to 12.30. There are four more speakers. Mr. Anand Sharma, Please try to be very brief.

SHRI ANAND SHARMA (Himachal Pradesh): Madam, Deputy Chairman, this indeed is a very important discussion and that is the only reason why this august House is sitting at this late hour. Madam, it is important because for the last one year, there have been clouds of suspicion raised. It is one issue which has generated massive confusion and unprecedented heat. We have seen in the last one year that accusations have been flung freely and that a systematic campaign of disinformation has been launched in this country backed by lies and untruth. The scars are visible. The damage is there for any one to see. The first casualty has been the defence of this country. The second casualty has been the morale of the Indian army, the morale of this nation. Madam, we have seen that, through this campaign, one after another, all established institutions have been pulled down and reputations ripped apart. Madam, aspersions have been cast on the integrity of our civil servants, on the integrity and professional competence of our Generals. I charge the Opposition with doing an incalculable damage to the body politic. I charge them with committing this criminal act. By condemning it, I would like to go on record to say that those are the brave soldiers, the brave Generals, the former Chief of the Army Staff and our civil servants who are serving this nation with sincerity and dedication. These men in uniform can defend our borders. But they cannot come here to defend their reputation which is being destroyed by irresponsible utterances of motivated individuals. We are discussing the JPC report. The JPC had a certain task before it. The task was to ascertain whether the procedure for the selection of the weapon system was correct or not. The task was to find out whether the selection of Bofors was right or not. The task was to find out whether there were any middlemen and if so, the identity of the recipients of illegal payments. Madam, I would not like to go into the details of the selection process which starts from the preparation of a philosophy paper, the proper evaluation by the Indian army, the identification of the weapon system and the identification of the suppliers after which only the weapons are brought to this country for trials. The trial reports are evaluated and then the recommendations sent to the Government. It is after that that the Price Negotiating Committee is constituted which comprises the Defence Secretary, the Finance Secretary and the Deputy Chief of the Army Staff, to mention a few.

[The Vice-Chairman (Shri Jagesh Desai) in the Chair]

Sir, in this particular case the army had given its requirement way back in 1975. The process started in 1979 and it was between 1980 and 1982 that the trial evaluations were made on seven weapon systems. Subsequently, four were shortlisted. That is the French Sofma 155; the British FH 70; Bofors 77B; and GC 45 of Austria. Subsequently in 1985 the Army had recommended to the Govern-

ment, to the CCPA, that two weapons systems be considered. Sofma and Bofors. Prior to this, it is pertinent to mention, in 1984 the CCPA had approved the price of Rs. 1620 crores, in 1984. It was after this that the PNC started the negotiations. And in February, 1986 the Army recommended Bofors because the Army felt that it had a distinct advantage, a distinct advantage because of the changed situation. It has been explained that the United States had developed a radar, a highly computerised one which could pinpoint the source of fire and ensure counter-bombardment within seconds. That is what Gen. Sundarji had said who took upon himself the entire responsibility, that this was the sole reason, because they required a weapon which in military terminology had a better shoot and scoot and had a higher mobility and burst fire capability. This was the advantage and that is why the decision was taken. I would like to quote Gen. Sundarji, not from the report but from a TV discussion which took place a couple of days back, on 7th. He was asked: "Do you take the responsibility of selecting the weapon system?" He replied: "Certainly, certainly. It was done with eyes wide open, taking cognizance of all factors. Circumstances demanded it; otherwise, I would not have done my job properly." This is what he said, "Otherwise, he would not have done his job properly." And here we find those who are not aware of the military procedures, technologies, they are questioning his judgment, they are questioning his integrity, they are questioning his decision, and that is what I condemn the most. Vajpayeeji should have consulted Mr. Jaswant Singh, what he had said in the same discussion on 7th May: "One thing should be made clear. The quality of the gun and the professional competence in the selection must never be questioned." This is Mr. Jaswant Singh. And exactly the opposite is being done by his party leader and the other friends in Opposition. I would not like to dwell in detail on the Bofors-Sofma dispute. But one thing is very clear. Had Sofma been chosen, Vajpayeeji and others would have said, "Bofors was better. Why is Sofma chosen? There must be some hanky-panky." Because, are looking for a controversy, they are looking for criticism. They have accused the Government of payoffs. But may I ask : By their own version where was the occasion for a payoff? What was the occasion, because, according to them, according to all records, even according to the Hindu documents till late 1985 Sofma was at No. 1? And they were quoting that in 1981 it was decided like this, in 1984 it was decided like that and so on, and they also said in the same breath: Why was it changed in two months? A reference has been made by almost all friends in the Opposition to the Prime Minister. I term it most melicious; malicious because they say the Prime Minister too interest. Tiwariji has answered it beautifully. If I may say, he is the Prime Minister, the leader of the country, the Defence Minister he was then. And looking at the geo-strategic environment, the vitiated security atmosphere, the stockpiling of weapons across the border, his responsibility is to apply his mind. Otherwise the Prime Minister would have been charged with dereliction of duty. On what the Prime Minister has achieved, let me enlighten you. It was Mr. Olof Palme who broached this subject. He broached this subject in November, 1985. Our Prime Minister sought a guarantee that no middlemen would be there. Otherwise there would not have been any discussion or debate. He asked for it and, in November 1986, when Mr. Olof Palme came here, he gave the guarantee and the fact of this guarantee is borne out by the statement of the present Swedish Government, of the Under Secretary for Defence and also of their Prosecutor-General. So, it is therefore everyone to see. What did he achieve? In 1984, the price approved by the CCPA was Rs. 1,620 crores and now, in 1986, given the fluctuations of world currencies, it ought to have gone up, maybe to 1,700 crores or 1,800 crores of rupees. People have said that about Rs. 200 crores was saved. No. This decision of the Government and the Prime Minister saved the nation at least Rs. 400 crores because in 1986 March it should have been more than Rs. 1,984 crores. ... *(Interruptions)*. If you laugh at this, God alone can help you. But, Sir, the price finally agreed was Rs 1,427 crores and that is what the Prime Minister's in-

tervention achieved, Now, Sir, this is what they are questioning. I find it very sad that the price has been the lowest and yet my friends have quoted various authorities. I would also like to quote here just one person, that is, the Expenditure Secretary, Mr. Ganapathi. What he has said is at page 85 of the Report.

He has said:

"Financial and commercial considerations are, undobtedly, important. But I think they cannot be assigned the predominant role, particularly in this case, as things turned out, the weapon system which the Army considered most suited to them, also proved to be the cheapest. There is no conflict."

Sir, I would like to quote also the Swedish Auditor and it is on page 154. He has said.

"We have appointed Auditors who have made a certificate. About the price it says that the final price regarding the supply of field Howitzers is the lowest comparable price offered to any other customer. As far as price is concerned, India is treated as the most favoured customer. It means also that the Swedish Army has paid a higher price for its Howitzer than Indian. Therefore, it shows that the Company had sold the Howitzer at the lowest price."

The Swedish Army pays more and the authorities say that it is the lowest. It is for anyone to conclude as to what the truth is. I am sure the House can draw its own inference and the nation also can judge the truth.

Sir, I would like to say here that the timing is important. The smoke of suspicion first came in April, 1987. I would like to mention briefly the developments in India then.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): You have studied very well. But be brief.

SHRI ANAND SHARMA: I will be brief. But there are certain pertinent things which I have to mention.

There was tension on the Indo-Pak border. There was a move to destablize the elected Government in this country. The then President connived and conspired with the elements in the Opposition here, abetted by alien forces, to dismiss an elected Government. It was then, it was at that time, that the then Defence Minister, Shri V. P. Singh,... (*Interruptions*)...

SHRI V. GOPALSAMY: Sir, it is a denigration of the former President... (*Interruptions*)... It is a denigration of the former President.

SHRI K. V. THANGKABALU (Tamil Nadu): You people also have said so many things... (*Interruptions*)...

SHRI V. GOPALSAMY: Don't talk nonsense. Behave properly... (*Interruptions*)...

SHRI ANAND SHARMA: It was at that time when Mr. Vishwanath Pratap Singh had resigned and the Swedish Radio came out with that story. I may refer to Mr. Vishwanath Pratap Singh in one sentence. He was the Finance Minister. His recommendation was there. He approved the price. He approved the selection. And today he goes to the other side and makes noises and you all clap behind him like children that Mr. Vishwanath Pratap Singh has said this. I may not quote. But Mr. Ganapathy, the Expenditure Secretary, has gone on record that not even once Mr. Vishwanath Pratap Singh expressed any reservations. Sir, I may say that the Government has been accused of not trying to find the truth. But, Sir, it was in April itself the Prime Minister asked them for evidence, not proof. The Government of India requested th Swedish Radio and Bofors both for information, failing which on 24th April it was this Government which requested the Swedish Government to institute an inquiry through the National Audit Bureau, which was ordered by that Government on the 29th of April. Sir, after that on the 4th of June the report came. Immediately this Government called a meeting of the Opposition leaders and made the report public and anounced the decision to institute an inquiry by the Joint Parliamentary Committee. Can the

sincerety of this Government be called into question? Who was trying to ascertain the truth, to get at the truth? It was this and this Prime Minster, and none else. (*Interrnptions*) This Opposition which charges the Government today, this Opposition then stayed away from JPC. If we are trying to find the truth, why did they stay away? It is because they were afraid of the truth, because they knew the falsity of their charges, because Bofors had become their sole political manfesto and their Bible, Geeta and Koran. They never wanted to lose it because the people believed nothing else. When we were discussing a serious matter in the Parliament of India, when the Parliament was in session our friends in the Opposition denigrated this country. They were bartering away the prestige of India, lowering the dignity of Indian Parliament by parading before the Swedish Embassy. And today they talk of the prestige of India, Sir; When Parliament is in session parading before the Embassy, being received by the First Secretary—100MPs of the Opposition — what a disgraceful thing to do.

Now, we know that it was a campaign of disinformation and disaffection. This is not something which is new, Sir. And permit me to say that there have been other occasions when popular political leaders have been denigrated and attacked. We know the case of Shri Mujib-ur-Reman and Mr. Allen de of Chile. First charges are made, or orchestrated campaigns are carried out, and then physical assasinations take place. We know there are forces after Rajiv Gandhi to destroy him politically and to destroy him physically. This nation shall not stand this conspiracy.

Sir, Mr. Bhatia has explained in detail the findings of the JPC. I can only say one thing that the findings are correct on the basis of all available evidence. They are correct, incontrovertible. There is nothing contrary on record. If there was anything, Sir, if there was any evidence, they should have come and placed before the JPC. But that has not happened. Sir, it is clearly established by the reports of the Swedish Chief Public Prosecutor Mr. Ringberg, and by the report of the Inspector-General of Military Equipment, Mr. Snen Hirdman. The JPC had no powers, as the Attorney-General had said, to go beyond that. I can only say that we were concerned with the price and we were concerned with the quality of the weapon. The price was the lowest. The qualtiy was the best. And had the price been more, your objections could have been entertained. Here the price has been slashed and our friends are objecting since morning why the price came down by almost Rs. 200 crores. Had there been a commission, then the price ought to have gone up. It is common sense. Has there been any commission, the price would not have come down by Rs. 200 crores. If we had paid as a Government for those payments which have been referred to, then we are guilty, but we had not. The price proved it. Here I would like to place on record one more fact. When we have not paid and we have received the guarantee that though the price has come down the quality is the best, then, what Bofors, for that matter, does with its sale proceeds is none of our business; it is none of our business what they do with their sale proceeds as long as we have not paid. As regards the Hindu documents, I may make a reference to them that the publication of those documents has been timed, timed to discredit the report of the JPC. On 22nd April these documents were published. I am not going into the detailed question whether they have been forged ones or authentic ones. Even if they are authentic, for argument's sake, they prove the documents were there when even Bofors contract was not even negotiated, when the CBI did not even consider the philosophy paper given by the Army. If this were so, then what prevented those privileged sources to give these reports, these documents, to the Swedish Prosecutor, to their Audit Bureau, to their Government or to our JPC? So it is a calculated mischief. I will only say one thing, that Vajpayeeji made out a case for termination. Termination? Why? It was after 11 years that the Army got the weapon system which it needed most. Our enemies had acquired that weapon system, we know. If we go in for termination, what are the termination costs involved. Vaj-

[Shri Anand Sharma]

payeeji? It would be 20 per cent of the contract. There is no contract anywhere in the world which you can revoke without paying the revocation costs, without paying compensation to the seller. Not only that. You would have been compelled to start the exercise afresh at a time when there are forces which do not want you to get the weapon system. It would have taken a couple of years more. The Army would have been deprived of the weapons for a couple of years more. After that you would have got it at a much higher price which is no good.

Lastly I will just say one thing to conclude. There are many friends in the Opposition, as has been referred to by Solankiji, who have gone to Sweden, Stockholm, Geneva, and I will name them — Shri Jethmalani and Shri George Fernandes. They have gone there twelve times or fourteen times. I would like to know from the honourable Finance Minister who is sitting here the exact amount of foreign exchange sanctioned to the teams of Opposition leaders, particularly Mr. Jethmalani and Mr. George Fernandes, to go to Geneva, to go to Stockholm. Full-page newspaper advertisements were published there blackening the face of this country. What does a full-page advertisement cost? How many advertisements were inserted? Who paid for their hotel bills? This we would like to know.

Sir, I pity the Opposition. Sir, they have, who as a messiah? Chandaswamy, an international racketeer, the Kaliyugswamy. Then Mr. Jethmalani, who is not here. He is behaving as a paragon of virtue. He holds briefs for the worst criminals, drug-pedlars, smugglers, and murderers. And he is going to give us a certificate of honesty and integrity. To whom? To Rajiv Gandhi who is the custodian of the great legacy of the Nehrus, a legacy full of sacrifices for this nation in the service of this nation.

Sir, I will just end with one sentence. They have said that history will judge. Yes, history will judge. History will judge both of us, Vajpayeeji. History will judge this Government and Rajiv Gandhi for keeping the nation's interest upper-most in its mind. History will judge Rajiv Gandhi of having not succumbed to the pressures. Posterity will remember that there was a Prime Minister who was a target of the forces of destabilisation, who was a victim of character assassination and slander but continued to serve his country. History will remember you for having unravelled the Defence secrets, for having demoralised the nation, for having destroyed the reputations of Generals and civil servants. History will also judge you for behaving in an irresponsible manner at a crucial juncture, diverting the nation's attention from crucial issues. It is high time you withdrew these allegations, apologised to the Prime Minister, to the Generals, to the people of this country. Otherwise, you will be consigned to the dustbin of history.

डा० जगन्नाथ मिश्र (बिहार) : माननीय उपसभाध्यक्ष महोदय, आज पूरे दिन मैं सून रहा था ध्यानपूर्वक इस बहस को। विपक्ष के नेताओं ने संयुक्त संसदीय समिति के प्रतिवेदन पर बहस के दौरान क्या कहा? विषय था कि संयुक्त संसदीय समिति के प्रतिवेदन में जिन मुद्दों को उठाया गया है उन मुद्दों पर अलग-अलग क्या राय बनती है। मुख्य रूप से तीन मुद्दे थे इस समिति के समक्ष कि किस-किस किस्म की तोपें खरीदी गई, उनकी कीमत क्या थी और बिचौलियों को कोई कमीशन दिया गया या नहीं? विपक्ष में भी आम सहमति दो बातों पर देखी गई। जहां तक किस्म का, गुणवत्ता का प्रश्न है वह सर्वमान्य है। जहां तक मूल्य का सवाल है, सबने स्वीकार किया है कि 200 करोड़ रुपए की कमी हुई समझौते के दौरान, वार्त्ता के दौरान और प्रतियोगिता स्थापित की वार्त्ता समिति जो रक्षा सचिव की अध्यक्षता में बनी हुई थी। जो 4 फर्में सामने आई — उनमें से 3 कम्पनियों की तोपों के बारे में थल सेनाध्यक्ष ने अपनी अनुशंसा प्राथमिकता से दी थी। गहराई से विचार करने से सामने प्रश्न आता है कि बिचौलियों का अस्तित्व था या नहीं। प्रधानमंत्री के प्रति इस राष्ट्र को, हम सबको आभारी होना चाहिए कि उन्होंने पहले पहल रक्षा सामग्री की खरीद में बिचौलियों की समाप्ति की शुरूआत की। पहले रक्षा मंत्रालय में सौदों की खरीददारी में बिचौलियों का अस्तित्व रहा करता था।

प्रधानमंत्री बनने के बाद, रक्षा मंत्रालय का प्रभार लेने के बाद उन्होंने एक अच्छी शुरूआत की और उन्होंने शर्त लगाई कि आगे से रक्षा मंत्रालय की खरीदारी में एजेंट नहीं होंगे, बिचौलिए नहीं होंगे। आज उल्टे प्रधानमंत्री को बदनाम करने की कोशिश विपक्ष की ओर से की जा रही है।

12.00 MID NIGHT

मूल्य घटा, किस्म अच्छा हुआ, सेना ने पसन्द किया, प्रतिवेदन में यह बातें कही गयी है। प्रतिवेदन के पृष्ठ 64 से लेकर 70 तक या पृष्ठ 83 से लेकर 90 तक जो तथ्य और जो विश्लेषण दिये गये हैं सुन्दरजी की ओर से, विशेषज्ञों की ओर से उन्हें देखने से या फिर मूल्य के सम्बन्ध में जो बातें कहीं गयी है मंत्रालय की विशेषज्ञ समिति की ओर से, वार्त्ता समिति की ओर से जो प्रतियोगिता स्थापित हुई है उस सम्बन्ध में, उससे स्पष्ट होता है कि अच्छे किस्म की तोपें कम मूल्य पर खरीदी गयी। बिचौलियों के हटने से मूल्य में कटौती हुई। प्रधान मंत्री के फैसले का एक अच्छा असर सम्पूर्ण रक्षा मंत्रालय की खरीदारी पर पड़ा। सवाल यह उठता है कि जो बिचौलियों को समाप्त करने का फैसला हुआ और वह सूचनाएं दी गयी बाद में होने के क्रम में बोफोर्स कम्पनी को, बोफोर्स कम्पनी की ओर से, इसे स्वीकार किया गया। चूंकि एजेन्ट और बिचौलियों का मामला पहले चल रहा था जैसा कि सूचनाएं भी आयी हैं और समिति के प्रतिवेदन में भी कहा गया है कि 85 तक जो खरीद में बिचौलियों का कार्यक्रम चला था उनके समझौते को और करार को समाप्त करना था इसलिए पैसे का भुगतान हुआ है वह निश्चित रूप से समापन का शुल्क है। उसके सम्बन्ध में अगर विचार करेंगे तो 107 पृष्ठ से लेकर 133 पृष्ठ में पूरी वार्त्ता है जो समिति की ओर से पूछा गया है बोफोर्स कम्पनी के अध्यक्ष से और उनके पदाधिकारियों से। उनके क्रास एक्जामिनेशन से ये बातें स्पष्टतौर से आयी हैं कि यह पैसा पूर्ण रूप से समापन शुल्क है। उन्होंने यहां तक कहा है कि अगर ठेका नहीं भी मिलता तो भी उन्हें यह अदायगी करनी होगी और किसी भी अवस्था में उन्हें समापन शुल्क देना ही पड़ता। इस लिए इस बोफोर्स कम्पनी के समझौते से, इस खरीदारी से, इस समापन शुल्क का कोई सीधा सम्बन्ध स्थापित नहीं होता है। ये बातें गवाही में सामने आयी है। फिर तोप खरीद के साथ कोई सम्बन्ध जुड़ता है, यह दीखता नहीं है।

एक बात और विचारणीय है कि किसी को कोई पैसा क्यों देता है। जब यह मामला सीधे भारत सरकार के साथ था, वार्त्ता भारत सरकार के साथ थी, उस हमारे रक्षा मंत्रालय के सचिव वार्त्ता समिति की अध्यक्षता कर रहे थे। सीधे बोफोर्स कम्पनी, फ्रेंच कम्पनी और इंगिलश कम्पनी से गुण के बारे में प्राथमिकता हमारी सेना की ओर से दी गयी थी, उनके साथ वार्त्ता हो रही थी। इस अवस्था में किसी एजेंट को उस वार्त्ता में शामिल नहीं किया गया था। ये बातें समझ में नहीं आती है कि यों ही तोप की आपूर्ति करने के सौदे में कोई कमीशन निर्धारित किया गया हो – ये बातें साधारणतया समझ में नहीं आती हैं। भारत की शर्त उन्हें स्वीकार करनी ही थी क्योंकि उन्हें भारत के साथ व्यवसाय करना था और भारत एक अच्छा खरीद करने वाला मुल्क था। शर्त लगाई गयी थी। उसी शर्त के अनुपालन में उन्होंने पुराने एजेन्ट सम्बन्धी समझौतों को खत्म करने का फैसला किया।

जहां तक विन चड्ढा का सवाल उठता है वह इस प्रतिवेदन में स्पष्ट है कि विन चड्ढा का 1985 तक एक एजेंट का अस्तित्व था लेकिन 1986 के प्रारम्भ से ही उनका अस्तित्व कम्पनी का प्रशासनिक सलाहकार का हो जाता है। सलाहकार के रूप में उनके लिए शुल्क निर्धारित किया गया था उसके अतिरिक्त विन चड्ढा का कोई सम्बन्ध इस पूरी वार्ता के साथ नहीं होता है। किसी भी अवस्था में वार्ता के साथ उनका सम्बन्ध नहीं था। इसलिए 64 करोड़ रुपये की अदायगी का सवाल कमीशन के रूप में स्थापित नहीं हुआ है। इस भुगतान का सीधा सम्बन्ध किसी साक्ष्य के आधार पर कमीशन के रूप में स्थापित नहीं होता है।

अब खरीदारी के साथ उस रुपये के भुगतान का सवाल उठता है। लेकिन एक बात विचारणीय जरूर है कि बोफोर्स कम्पनी की ओर से गोपनीयता की मांग

[डा० जगन्नाथ मिश्र]

की गई और नेशनल आडिट ब्यूरो ने अपने प्रतिवेदन में जो बात कही थी उस संबंध में फिर बोफोर्स कम्पनी से पूछा गया और विवरण देने के लिए कहा गया । लेकिन उन्होंने गोपनीयता के आधार पर विवरण देने से अस्वीकार कर दिया । इससे भी स्पष्ट लगता है कि भारत सरकार की मंशा स्पष्ट थी कि बिचौलियों का भाण्डा फोड़ करके पैसों की बचत करेंगे । इस संबंध में एक बात यह भी विचारणीय हो जाती है कि अगर भारत सरकार की कोई दूसरी मंशा साफ थी । जैसा भारत सरकार ने प्रारम्भ में ही कहा था, जैसा माननीय सदस्यों ने भी कहा और माननीय तिवारी जी ने भी कहा, यह बात स्पष्ट है कि ये बातें किसी ने भी पहले नहीं उठाई, जब नेशनल आडिट ब्यूरो की रिपोर्ट आई तो तत्काल की भारत सरकार ने और प्रधान मंत्री ने उसे प्रेस में प्रकाशित कराया, विरोधी दल के नेताओं से वार्ता की फिर उसके साथ ही उन्होंने संयुक्त संसदीय समिति बनाने की घोषणा की इसलिए मंशा साफ है कि भारत सरकार स्पष्ट रूप से सच्चाई पर पहुंचना चाहती थी ये सब बातें भारत सरकार की मंशा को स्पष्ट करती हैं । यह भी साफ है कि विपक्षी दलों को संयुक्त संसदीय समिति में शामिल कराने का अनवरत प्रयास होता रहा । यह बात भी समझ में नहीं आती है कि अगर भारत सरकार का छिपाने का कोई इरादा होता तो जब पहली बार विपक्षी दलों ने बहिष्कार करने का फैसला कर लिया तो भारत सरकार संतुष्ट हो जाती और सोचती कि अच्छा हुआ, हमारे साथ शामिल नहीं हो रहे हैं । चूंकि भारत सरकार की नीयत साफ थी और वह खुलकर सच्चाई पर पहुंचना चाहती थी इसीलिए विपक्षी दलों के साथ अनवरत वार्ता भी की गई और रक्षा मंत्री जी ने वार्ता के क्रम में समिति के लिए जो विषय सूची निर्धारित हुई थी उसमें संशोधन करने की बात भी की, और जो कुछ भी अच्छी बातें हो सकती थीं उनको स्वीकार किया गया । लेकिन विपक्ष राजनैतिक दृष्टि से उस समिति में शामिल नहीं हुआ ।

एक बात गम्भीर रूप से विचारणीय है कि इस देश की सर्वोच्च संस्था यह संसद है और यह संयुक्त समिति संसद ने बनाई और उसी संसदीय समिति का प्रतिवेदन आज हमारे सामने विचारणीय है । इसलिए सोचा जाए कि इसके अलावा दूसरा क्या उपाय हो सकता था ? सबसे बड़ी संस्था यह संसद है । और संसद की संयुक्त समिति ने प्रतिवेदन दिया । इस समिति ने बड़ी मेहनत की है, इसके अध्यक्ष ने बड़ी मेहनत की है, इसके सदस्यों ने बडी मेहनत की है । विवरण और रिपोर्ट को देखने से लगता है कि समिति कितनी गहराई पर पहुंची है और उसने अपने निष्कर्ष निकाले हैं । हमने यह भी देखा है कि किस तरह से गवाहियां ली गई हैं और उसे उन्होंने दस्तावेजों का अवलोकन किया है और तथ्यों का संग्रह किया है । भारत सरकार ने बडी उदारता दिखाई और पहले पहल सारे महत्वपूर्ण दस्तावेज इस समिति के हवाले कर दिए । पहले ऐसी परम्परा नहीं थी कि ऐसे दस्तावेज किसी संसदीय समिति के सामने रखे जायें । लेकिन चूंकि भारत सरकार ऐसे संवेदनशील मामले पर सही और सच्चाई पर पहुंचना चाहती थी, इसलिए उसमें कोई दुराव छिपाव नहीं था और सारे तथ्य उस समिति के सामने भारत सरकार ने प्रस्तुत कर दिए जिसके आधार पर समिति ने आगे की पूरी कार्यवाही की । यह भी एक विचारणीय बिन्दु हो जाता है कि जब सर्वोच्च संस्था की समिति ने अनुशासन की ओर अपना प्रतिवेदन दिया है, अगर वह भी मान्य न हो तो देश में मान्य क्या हो सकता है ? आखिर किसी विवाद का अन्त किसी स्तर पर होगा या नहीं या यह विवाद निरन्तर चलता रहेगा ? संसदीय समिति के अतिरिक्त भी क्या कोई विकल्प हो सकता है ताकि यह विवाद बंद किया जा सके ? इसलिए व्यापक राष्ट्रीय हित में यह बहुत आवश्यक है कि संसदीय समिति के प्रतिवेदन को अंतिम रूप देने से स्वीकार कर लिया जाये और इस विवाद का अंत कर दिया जाये । इस संबंध में जो खतरा दिखाई देता है वह बहुत विचारणीय है । पिछले साल की घटनाओं से लगता है कि कोई सुनियोजित षडयंत्र का कार्यक्रम चल रहा है, कुछ तो अन्तर्राष्ट्रीय महाशक्तियों की

प्रेरणा से और कुछ अपने देश के विरोधी दलों में भ्रम उत्पन्न होने की वजह से, चाहे उनकी मंशा अच्छी भी हो, लेकिन जो कार्यवाहियां पिछले साल में हुई हैं उनसे मन में संदेह उत्पन्न होना स्वाभाविक है । कुछ ऐसी अन्तर्राष्ट्रीय शक्तियां हैं जिन्हें हमारी राजनैतिक व्यवस्था स्वीकार नहीं है, हमारी नीतियां स्वीकार नहीं हो पा रही हैं जिन्हें बर्दास्त नहीं हो पा रहा है कि अन्तर्राष्ट्रीय क्षेत्र में हमारा वर्चस्व क्यों बढ रहा है, जिन्हें यह बर्दास्त नहीं है कि अन्तर्राष्ट्रीय नीति में निर्णायक भूमिका हमारी क्यों हो रही है ।

ऐसी ताकतों की कोशिश है कि हमरा राजनैतिक ढांचा चरमरा जाये, हमारे नेतृत्व पर लोगों की आस्था घट जाये और देश में अव्यवस्था की स्थिति हो जाये । लगता है कि जाने-अनजाने में हमारे विरोधी दल के लोग भी अपनी जिम्मेदारी का अहसास नहीं कर पा रहे हैं । इस अहम सवाल पर उनकी राष्ट्रीय भूमिका होनी चाहिए, राष्ट्रीय अपेक्षा उनसे है उसकी पूर्ति उन्हें करनी चाहिए लेकिन वे इसे नहीं कर पा रहे हैं और इसीलिए उनकी अवस्था ऐसी है । जब देश में अनेक संकट हैं और बाहरी शक्तियां हमारे देश में दिलचस्पी ले रही हैं तो ऐसे समय पर नेतृत्व पर आक्षेप करना या सत्ताधारी दल को परेशान करना या जनता को भ्रमित करना और देश के राजनैतिक ढांचे को कमजोर करना उचित नहीं है। जो बातें पिछले एक साल से हुई हैं और इस प्रतिवेदन के पेश होने के बाद जो कुछ देखने में आ रहा है उससे ऐसा लगता है कि हम राजनैतिक चुनौतियों के प्रति जागरूक नहीं हो रहे हैं । जो नई-नई चुनौतियों प्रति दिन उभर रही हैं, अगर हम अपने वैचारिक बिन्दुओं, राजनैतिक मतभेदों को इस स्तर तक ले चलेंगे, इस सीमा तक ले चलेंगे तो अन्ततोगत्वा इसके कारण हमारी लोकतंत्रीय व्यवस्था पर जो असर पड़ने वाला है उससे हमारी यह व्यवस्था चर-मरा जाएगी । इस लिए मेरा सारे विरोधी दलों के नेताओं से विनम्र निवेदन है कि हमें राष्ट्रीय हित में ऐसे विषयों पर विचार करना चाहिए लेकिन राजनैतिक दुर्भावनाओं से प्रेरित होकर नेतृत्व को कमजोर करने की बात नहीं होनी चाहिए । इस प्रतिवेदन से स्पष्ट लगता है, कि जो बातें यहां पर श्री अटल बिहारी वाजपेयी जी ने उठाई कि जब 1982 में जनरल सुन्दरजी ने फैसला दिया था फ्रांस की सीफमा तोप के बारे में, तो क्या ऐसी परिस्थितियां बदल गई जो उन्होंने 1986 में अपने विचार को बदला । इसके बारे में समिति ने सुन्दरजी की गवाही से काफी तर्क पेश किया है । पृष्ठ 67 के अगर एक-एक पैराग्राफ को हम पढ़ें तो हमें मालूम होगा कि उन्होंने इसके बारे में बहुत उचित तर्क दिया है । संयुक्त समिति ने इस बात को कहा कि परिवर्तित परिस्थिति में अगर सेनाध्यक्ष अपने विचार को नहीं बदलते तो वे अपने कर्तव्यों का निर्वाह नहीं कर पाते । जो परिस्थितियां अमेरिका के कारण बनी और जिस तरह से पाकिस्तान को फायर फाइटर रडार तथा और चीजें दी गई तो अगर हमारी तोपें उनके मुकाबले के योग्य न होती तो हम आगे खतरे में पड़ सकते थे । इसीलिये सेनाध्यक्ष ने जो फैसला लिया वह सम्यक् और माकूल लिया । उन्होंने तर्कों से स्थापित किया कि परिवर्तित परिस्थिति में इसके अलावा दूसरा कोई विकल्प उनके सामने नहीं था । इसलिये इस पर कोई संदेह नहीं कर सकता, उनकी गुणवत्ता पर कोई संदेह नहीं कर सकता और न यह स्थापित किया जा सकता है कि बोफोर्स कंपनी को प्राथमिकता किसी दूसरे कारण से दी गई है । ये बातें भी संयुक्त समिति ने स्थापित की हैं कि किसी भी प्रकार का कोई दवाब हमारे सेनाध्यक्ष के ऊपर नहीं था । समिति ने यह भी स्थापित किया है कि बोफोर्स को यह ठेका देने में किसी पदाधिकारी या सरकारी स्तर पर किसी सदस्य को प्रभावित करने का कोई साक्ष्य, प्रत्यक्ष या अप्रत्यक्ष रूप से संयुक्त समिति के सामने पेश नहीं हुआ । अगर विपक्ष के पास, देश के किसी समाचार-पत्र के पास इस संबंध में दस्तावेज थे, कोई तथ्य था तो उन्हें समिति के सामने समय पर पेश किया जाना चाहिए

था । 'हिन्दू' में प्रकाशित दस्तावेज से भी कोई स्पष्ट मामला बनता नहीं है । एक बात तो यह है कि यह उस समय प्रकाशित हुआ जब कि पूरी गवाही समाप्त हो चुकी थी, पूरे कार्यों का समापन हो रहा था । ऐसे समय में उसका प्रकाशन हुआ । होना तो यह चाहिए था कि विपक्ष की ओर से समय रहते इन दस्तावेजों को, इन तथ्यों को समिति के सामने पेश किया जाता । अगर ऐसा होता तो समिति उस पर जरूर विचार करती । लेकिन अवधि समाप्त जब हो रही थी तो फिर से उस पर विचार करना संभव नहीं था । लेकिन अभी भी समय है । अभी भी स्वीडन की संवैधानिक कमेटी वहां विचार कर रही है । इस मामले को वहां पेश किया जा रहा है । वहां की सरकार ने इस मामले में मुस्तैदी दिखाई है भारत सरकार के दबाव पर । जो कार्यवाही स्वीडन की सरकार ने की है वह भारत सरकार के दबाव पर की है । इससे भारत सरकार की मंशा साफ है कि वह किसी बात को छुपाना नहीं चाहती । निरंतर जांच हुई और वहां के पब्लिक प्रोसीक्यूटर ने मामले को समाप्त कर दिया, गवाहियों और साक्ष्य के अभाव में । फिर पब्लिक एंकाउन्टेंट ने बोफोर्स के हिसाब की जांच की, उसका आडिट किया और हिसाब को देखने के बाद उन्होंने कहा कि कार्यों और इकरार की समाप्ति के लिए भुगतान किया था । दूसरी तरह की बात नहीं बनती है । इसलिये बिचौलिये और कमीशन का कोई मामला नहीं बनता है । तथ्य सब के सामने है और अगर विपक्ष माननीय सदस्यों के पास कोई साक्ष्य हो, कोई सबूत हो, पत्रकारों के पास या किसी दूसरे के पास हों वह सरकार के सामने पेश कर सकते हैं लेकिन केवल संदेह पर भ्रम पर सुनी सुनाई बात के आधार पर ऐसे अहम सवाल का निष्पादन नहीं हो सकता । ऐसे संवेदनशील मामले को विवादास्पद नहीं बनाना चाहिए और अपनी सेना के नैतिक बल को नहीं घटाना चाहिए जबकि उनके हाथों में हमने जो औजार दिया है वह उत्कृष्ट है । लेकिन विवाद से, इस सदन के विचार से, उस सदन के विचार विमर्श से भ्रम की बात जनता में फैलती है और सेना में फैलती है । यह राष्ट्रहित में नहीं है कि सेना के लिए योग्य औजार को भी संदेहास्पद बनाया जाये उन्हें कमजोर स्थापित करने की बातें की जायें या यह स्थापित करने की कोशिश की जाये कि खरीदारी में बिचौलियों के माध्यम से कमीशन लिया जाता है या किसी प्रकार से प्रत्यक्ष या अप्रत्यक्ष बेइमानी की संभावनाएं हैं । तो इससे पूरे देश का मनोबल गिरता है । ऐसा कोई कार्य नहीं किया जाना चाहिए जिससे राष्ट्र का मनोबल घटे जिससे सेना का मनोबल घटे और हम अपने राष्ट्र के कार्यों में कमजोरियां लायें ।

एक बात और विचारणीय है कि बोफोर्स से जो सौदे हुए है उनके जो व्यवसायिक टर्म्स हैं उसमें वित्त एवं कार्य की निपुणता की तथा उधार दिये जाने की फैसिलिटी भी है या फिर स्वीडेन सरकार भारत से वस्तुएं भी खरीदेगी । यह व्यवस्थाएं उसमें हैं और जिस तरह से उनका निष्पादन हुआ है वह पूर्णतया: राष्ट्रहित में और भारत के हित में हैं । समझौते में लाभ के जिन मुद्दों को देखा जा सकता है उन सभी मुद्दों का प्रयोग भारत सरकार ने सतर्कता से किया है और बड़ी सावधानी से उन्होंने इसका निष्पादन कराया है । इसलिए मैं सदन से निवेदन करूंगा कि संयुक्त संसदीय समिति की जो अनुशंसाए हैं वे पूर्णतया: तथ्यों पर आधारित हैं और उनके समक्ष जो तथ्य लाये गये उन पर उन्होंने प्रतिवेदन तैयार किया है । जो तथ्य और आधार विपक्ष के पास था उन्होंने उन तथ्यों को आंकड़ों को दस्तावेजों को इस समिति के सामने पेश नहीं किया । इसलिए जो निष्कर्ष निकले हैं वे निष्कर्ष पूर्ण रूप से भारत के हित में है और सत्य बात को स्थापित किया गया है । प्रधान मंत्री श्री राजीव गांधी ने राष्ट्रहित में कार्य किया है, देश की रक्षा पंक्ति को मजबूत करने का काम किया है, रक्षा सामग्री की खरीदारी में कीमत घटाने का काम किया है, रक्षा सामग्री खरीदने में

प्रतियोगिता लाने की कोशिश की है और तमाम अंतर्राष्ट्रीय कम्पनियों को मौका दिया है जिनके पास सामर्थ्य हो जिनके पास अच्छी चीजें हों, वे मुकाबले में आ सकते हैं। इसलिए प्रधान मंत्री राजीव गांधी ने एक अच्छी परम्परा स्थापित की है बिचौलियों को समाप्त करके रक्षा मंत्री जी ने जो वक्तव्य पहले दिया था विभिन्न अखबारों को तथा सदन में जो वक्तव्य दिये हैं इस प्रतिवेदन के साथ उसकी सम्पुष्टि होती है। कोई तफरका या भेद नहीं होता है। बोफोर्स के अधिकारियों ने जो इस समिति के सामने बयान दिया है या जो वहां के पदाधिकारियों ने प्रतिवेदन दिये हैं उनमें और प्रधान मंत्री के वक्तव्य में, रक्षा मंत्री के वक्तव्य में कोई विरोधाभास नहीं है और प्रधान मंत्री ने जो बातें बतायी थीं, रक्षा मंत्री ने जो बातें बतायी थी, इस समिति के प्रतिवेदन से उनकी सम्पुष्टि हो गयी है। इसलिए इस मामले का अब अंत करना चाहिए और आज के बाद फिर से इस सदन में या सदन के बाहर विरोधी पार्टियों को बोफोर्स के मामले को राजनीतिक उद्देश्यों की प्राप्ति के लिए नहीं उठाना चाहिए क्योंकि लगता यही है कि वे इस मामले को जगाये रखना चाहते हैं क्योंकि उनके पास कोई उद्देश्य नहीं, कोई कार्यक्रम नहीं कोई उपलब्धियां नहीं। राष्ट्रीय और अंतर राष्ट्रीय साजिशों के कारण उन्हें एक मुद्दा मिल गया है और वे उसी मुद्दे को बार-बार रगड़ना चाहते है। जनता में भ्रम उत्पन्न करना चाहते है सरकार की साख घटाना चाहते हैं और नेतृत्व को कमजोर करना चाहते हैं। आप मुकाबला करिये राजनीति से, जनता की सेवा से जनता में प्रतिष्ठा हासिल करके चुनाव में सही बातों के आधार पर राजीव गांधी को पराजित करने की कोशिश करिये न कि गलत और काल्पनिक बातों को फैला करके, जनता के मन में भ्रम पैदा करके इस तरह आप राजीव गांधी का मुकाबला नहीं कर सकते हैं। भारत की जनता समझदार है, परिपक्व है वह सोचकर सही और गलत बातें समझती हैं। क्या गलत है क्या सही यह भारत सरकार और जनता जानती है। इसलिए गलत प्रचार की पूरी कोशिश आपकी ओर से होगी तो भी भारत की जनता भ्रमित नहीं हो सकती है, विश्वास नहीं करेगी। उसकी पूरी आस्था राजीव गांधी के साथ है, कांग्रेस पार्टी के साथ है। आपकी पूरी कोशिशों के बावजूद भारत की जनता हिलने वाली नहीं है। इन्हीं शब्दों के साथ बहुत-बहुत धन्यवाद।

श्री **सुरेन्द्रजीत सिंह अहलूवालिया** (बिहार) : ये तो सब पहले ही भाग गये।

उपसभाध्यक्ष (श्री जगेश देसाई) : आप बैठ जाइये।

SHRI PAWAN KUMAR BANSAL: Mr. Vice-Chairman, Sir, the Swedish Radio broadcast in April last year alleging that AB Bofors had bribed important people here to win the contract relating to the purchase of 155m Howitzer guns had attracted wide attention and aroused concern because of Indian people's concern and penchant for truth and honesty. This was a matter of deep concern even for the Government of India because, to cut down the prices of imported weapon systems, it had, contrary to the world-wide practice, negotiated the contract directly without the involvement of any agent. As such, it was with a clear conscience that the Government repudiated the news. Unfortunately this happened at a time when the Opposition parties were in a state of total disarray. Bereft of any ideological issue to fight the Government, they desperately indulged in character assassination and strove hard to take up any issue which could apparently give them some hope of sustenance after the trauma they experienced on their ignominious defeat in the last General Elections. In such a situation the swedish Radio item came as a great blessing for them. Concomitantly it intoxicated them and threw them into a trance. Unmindful of the effect their utterances could have on the morale of our armed forces, they continued to cry hoarse that in consideration of kickbacks

agencies very fairly to the House. From this our friends on the other side have raisd pre-porterous and unfounded presumptions for narrow political ends and, in doing so, they have intentionally overlooked the other very important finding of these agencies that there was no evidence whatever to suggest the involvement of any Indian with these payments. Sir, they also forget and forget willingly, that the Chief District Prosecutor of Sweden, who had access to the documents there, found no evidence to infer that these alleged payments to foreign companies were made for being utilized as bribes to win this contract.

Sir, those who know something of law or have at least tried to read the report of the Joint Parliamentary Committee, without prejudice, will appreciate that such a charge of bribery can be proved only If there is definite, positive, evidence to that effect.

The hon. Member, Shri Aladi Aruna who has given a note of dissent to the Report, is perhaps not aware of this sound legal principle. He quotes the statements of witnesses in the negative to equate these payments with bribes or kickbacks. This ignorance also leads him to castigate the CBI for, to quote his words, "not producing any constructive evidence to support their observation that there was nothing to show the involvement of any Indian." From mere fact that this money was deposited in Swiss Banks and not in the countries of these three firms, Shri Aladi Aruna wants us to agree with his untenable and inherently presumptive conclusion that, to quote his words again, Sir, "it must have been received by none other than those responsible for successful negotiation of this contract." He also assumes technical expertise in defence maters and ridicules the decision of senior defence officers of proven brilliance. This reminds me of the great Tamil classic, the "Thirukkural" and I will just quote two small but meaningful couplets therefrom:

"What is ignorance?
The pride that cries
'We are the knowing
and the wise' "

And "meddlers with knowledge not attained,

Bring doubt on what they have really gained."

In his zeal to seize the opportunity to settle political scores regarding the recent developments in Tamil Nadu Shri Aladi Aruna indulges in mudslinging. He chooses to accuse the Chairman of the Joint Committee of denying him access to the relevant documents but quotes extracts from the minutes of the meetings of the Price Negotiating Committee to convey biased impressions. (*Time Bell rings*)

Sir the Committee has functioned admirably to discharge the onerous and sacred task assigned to it. It has put searching questions to witnesses in its endeavour to cull out the truth. If any case of bribery or kickback has not been established, it cannot be faulted. The Committee's only fault is that it did not oblige Shri Aladi Aruna in manufacturing evidence or agreeing with his outragous misquotation of the Swedish Chief District Prosecutor.

The Committee has given a candid opinion about the status of Svenska Moresco and A. E. Services Ltd, and it would not have been pruduent for it to dwell further there on in the absnce of any supporting evidence. However, Sir, in view of the demeanour of the representatives of A. B. Bofors appearing before the Committee and their refusal to shed light on the constitution and functioning of these companies, it will not be unfair to conclude that these firms are the creation of Bofors itself for syphoning off their own funds for their own reasons. That is why, to avoid embarrassment and exposure at home they invoked the confidentiality clause for not passing on the information. This belief is further strengthened from an important circumstance that though the Bofors representation contract with Anatronic General Corporation of Mr. Win Chadha was also terminated, no such winding-up charges were paid therefor.

Sir, I am sorry to see adverse comments being voiced against the functioning of the Joint Committee. It is unfortunate more so because they are wholly baseless and divorced from the reality. The basis,

received, the quality of the artillery system acquired by us had been compromised with.

On the other hand, the Government, eager to find the truth, pursued the matter vigorously with the Government of Sweden. This led to the National Audut Bureau of Sweden undertaking an auditing review of the transactionss made by Bofors in connection with the Indian contract. And when its report revealed that some substantial payments were made by Bofors, but did not disclose the particulars of the recipients, the Opposition here rushed to accuse the Government of withholding th information. On the other hand, Government persisted with seeking this information from the Swedish Government and AB Bofors. It also opted to refer the matter to a Joint Parliamentary Committee.

Interestingly, the Opposition which had earlier sought the formation of a committee as this now boycotted this on untenable grounds, because they knew that the non-culpability of the Government would not leave them any opportunity of further criticism.

Sir, the Committee has gone into the elaborate procedure prescribed for the procurement of weapons and systems and has come to the conclusion that it was followed meticulously. To meet the situation arising out of acquisition by Pakistan of sophisticated US fire-finder radar ANTPS-37, the Bofors gun with its "shoot and scoot" capability was obviously the best choice. The Members of the Opposition on the Consultative Committee attached to the Ministry of Defence witnessed the Bofors demonstration and were silenced by its performance. It is a different matter that political considerations again prompted others amongst them to raise a crescendo of unprincipled attack against the Government on mere figments of imagination.

Sir, the Joint Parliamentary Committee has also found that as a result of intense competition generated by th Price Negotiating Committee between the contending parties and the elimination of agents in the deal, substantial reductions in prices were repeatedly obtained. Reduction in price was also achieved after the issuance of the letter of intent to AB Bofors and the agreement was entered into for a price lower than that paid by the Swedish Army.

The procedure followed all through ruled out the scope of any extraneous consideration to creep into the selection of the gun. Even the new-found Messiah of the Opposition, Shri V. P. Singh, the then Defence Minister, had approved the recommendations of the negotiating committee without raising any question or expressing any reservation.

Sir, the gravamen of the charge in the Bofors matter is that unauthorized and illegal, payments were made in winning the contract. To find if there was any substance in the allegation, the Joint Parliamentary Committee has critically analysed the whole gamut of payments made by Bofors. It has now transpired that the three firms alluded to in the report of the National Audit Bureau were Svenska, Moresco and AE Servicess Limited. According to AB Bofors, general consultancy agreements between them and these firms were in existence when the Government of India insisted on the elimination of agents. This warranted the termination of those agreements as also one with Anatronic General Corporation of Shri Win Chadha which had been entered into ay back in 1978. To the three foreign firms, 319 million Swedish Kroners were paid as winding up charges, said to be mutually agreed upon by Bofors and these firms in view of various considerations including loss of future profits. (*Time Bell rings*) The amount did sound to be a staggering figure. So the Joint Committee did not satisfy itself merely with the averments of AB Bofors. Our investigative agencies were sent abroad to ascertain the truth, with the assistance of Interpol if need be. However our investigations abroad were somewhat styied because it was not possible to identify the real owners of these three firms, and these seem to have been registered only for the purpose of tax avoidance. The Joint Committee has reported this view of the investigating

if any, is only bias, prejudice, whims and caprise of those making the insinuations. These tend to bring to disrepuate the Parliament itself. When the Committee sought extension in time, motives were alleged against it. Now when it has worked over-time to adhere to the schedule, motives have been alleged again. When it became known that the Committee would present its report in time, some people with the malefic design to keep the controversy alive and have also worked over-time to fabricat evidence and have endeavoured to add another dimension to the matter to show as if the Committee has not taken into consideration all the relevant material. They have grabbed like a life-saving drug, the documents published by the Hindu..

THE VICE-CHAIRMAN (SHRI JAGDESH DESAI): Please conclude now.

SHRI PAWAN KUMAR BANSAL: All right.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am very happy that the debate today was of a very high order. I compliment the whole House.

SHRI K. C. PANT: The debate yesterday and today, Sir.

THE VICE-CHAIRMAN: Yes. The reply will be today at around 12 noon.

Now, the House is adjourned and will meet again today at 11 A.M.

The House then adjourned at thirtysix minutes past midnight till eleven of the clock on Thursday, the 12th August, 1988.